

House Bill No. 989.
House Bill No. 960.
House Bill No. 520.
House Bill No. 430.
House Bill No. 946.
House Bill No. 364.
House Bill No. 304.
House Bill No. 610.
House Bill No. 949.
House Bill No. 822.
House Bill No. 393.
House Bill No. 186.
House Bill No. 893.
House Bill No. 927.
House Bill No. 860.
House Bill No. 955.
House Bill No. 908.
House Bill No. 925.
House Bill No. 331.
House Bill No. 920.
House Bill No. 882.
House Bill No. 247.
House Bill No. 279.
House Bill No. 674.
House Bill No. 813.
House Bill No. 870.
House Bill No. 718.
House Bill No. 691.
House Bill No. 157.
House Bill No. 712.
House Bill No. 724.
House Bill No. 863.
House Bill No. 858.

SEVENTIETH DAY

(Monday, May 12, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Bruhl
Allen	Bullock
Allison	Bundy
Alsup	Burkett
Anderson	Burnaman
Avant	Carlton
Bailey	Carrington
Baker	Cato
Bean	Celaya
Bell	Chambers
Benton	Clark
Blankenship	Cleveland
Boone	Coker
Brawner	Colson, Mrs.
Bridgers	Connelly

Craig	Lowry
Crossley	Lucas
Crosthwait	Lyle
Daniel	McAlister
Davis	McCann
Deen	McDonald
Dickson of Bexar	McGlasson
Donald	McLellan
Dove	McMurry
Duckett	Manford
Dwyer	Manning
Ellis	Markle
Eubank	Martin
Evans	Matthews
Favors	Mills
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morris
Fuchs	Morse
Gandy	Murray
Goodman	Nicholson
Halsey	Pace
Hanna	Parker
Hardeman	Pevehouse
Hargis	Phillips
Harris of Dallas	Price
Harris of Hill	Rampy
Hartzog	Reed of Bowie
Heflin	Reed of Dallas
Helpinstill	Ridgeway
Henderson	Rhodes
Hileman	Roark
Hobbs	Roberts
Howard	Sallas
Howington	Senterfitt
Hoyo	Shell
Huddleston	Simpson
Hughes	Sklies
Humphrey	Smith of Bastrop
Hutchinson	Smith of Atascosa
Isaacks	Spacek
Jones	Spangler
Kelly	Stanford
Kennedy	Stinson
Kersey	Stubbs
Kinard	Taylor
King	Thornton
Klingeman	Turner
Knight	Vale
Lansberry	Voigt
Lehman	Walters
Leyendecker	Wattner
Little	Weatherford
Lock	White
Love	Whitesides

Absent

Bray	Huffman
Dickson of Nolan	Sharpe
Garland	

Absent—Excused

Brown	Gilmer
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McNamara Winfree
Morgan

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, 'Thy righteousness is an everlasting righteousness, and Thy law is truth.' As Thy creatures and as men whom Thou wouldst use to bless others, do Thou help us first of all to recognize Thee and Thy will, and then to seek after Thy testimonies. We are grateful for the preservation of our lives to this good day, and pray that Thou wouldst use us. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Gilmer for today on motion of Mr. Stinson.

Mr. McNamara for today on motion of Mr. Henderson.

Mr. Brown for today on motion of Mr. Markle.

Mr. Morgan for today on motion of Mr. Rumpy.

MESSAGE FROM THE SENATE

Austin, Texas, May 12, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on H. B. No. 369 by a viva voce vote.

Has concurred in House amendments to Senate Bill No. 204 by the following vote: Yeas, 26; nays, 0.

Adopted

Senate Resolution No. 129, Requesting the House to return House Bill No. 541 to the Senate for further consideration. (Resolution attached.)

S. C. R. No. 52, Requesting the Governor to return House Bill No. 903 for correction.

S. C. R. No. 53, Authorizing the State Highway Department to lend discarded guard wire to the Tioga Schools of Tioga, Texas; etc.

S. C. R. No. 54, Inviting General Maximino Camacho to address a Joint Session of the Texas Legislature on May 12, 1941; etc.

Passed

H. B. No. 354, A bill to be entitled "An Act conveying the title of the State of Texas to Lot Number Twelve (12) and Lot Number Thirteen (13) in Block Number Thirty-seven (37), of the original Townsite of Rosenberg, Fort Bend County, Texas, acquired by the State under tax sale to Mrs. Millie Wolf, to and for her separate use and benefit; and declaring an emergency."

H. B. No. 391, A bill to be entitled "An Act amending Chapter 100 of the Acts of the Forty-fourth Legislature, Regular Session, by adding thereto a section to be known as Section 33a; etc., and declaring an emergency." (With amendments.)

H. B. No. 436, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties in this State to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business, etc.; and declaring an emergency." (With amendment.)

H. B. No. 483, A bill to be entitled "An Act prohibiting the taking, trapping, or killing of raccoons and mink in certain counties, etc.; and declaring an emergency."

H. B. No. 499, A bill to be entitled "An Act to amend the subject matter embraced in Section 13 of Chapter 482, Acts of the Forty-fourth Legislature, Third Called Session, etc.; and declaring an emergency."

H. B. No. 957, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts having a certain scholastic population, etc.; and declaring an emergency."

Adopted

H. C. R. No. 126, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 754.

The Senate has refused to concur in House amendments to Senate Bill

No. 184, and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Moore, Shivers, Weinert, Ramsey and Graves.

Adopted

H. C. R. No. 111, Recalling H. B. No. 371 from the Governor.

H. C. R. No. 129, Authorizing the Enrolling Clerk to make certain necessary corrections in House Bill No. 903.

H. C. R. No. 125, Inviting the President of the United States to visit the State of Texas on an inspection tour of defense projects. (With amendment.)

Respectfully,

BOB BARKER,
Secretary of the Senate.

RELATIVE TO CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 76

Mr. Dwyer moved to suspend the necessary Rules for the purpose of making a motion to reconsider the vote by which the House refused to adopt the conference report on House Bill No. 76.

The motion to suspend the Rules prevailed by the following vote:

Yeas—95

Allen	Crosthwait
Allison	Dickson of Bexar
Alsup	Dickson of Nolan
Avant	Donald
Bailey	Dove
Baker	Dwyer
Benton	Ellis
Boone	Eubank
Bruhl	Evans
Bullock	Ferguson
Burkett	Files
Burnaman	Fuchs
Carrington	Gandy
Cato	Halsey
Chambers	Hanna
Clark	Hargis
Cleveland	Harris of Dallas
Coker	Harris of Hill
Colson, Mrs.	Heflin
Connelly	Helpinstill
Crossley	Hileman

Hobbs	Mills
Howington	Montgomery
Hoyo	Moore
Huddleston	Parker
Huffman	Pevehouse
Humphrey	Price
Hutchinson	Rampy
Isaacks	Reed of Bowie
Kennedy	Reed of Dallas
King	Ridgeway
Klingeman	Rhodes
Knight	Roberts
Lehman	Sallas
Leyendecker	Senterfitt
Little	Simpson
Lock	Skiles
Love	Smith of Bastrop
Lowry	Spacek
Lucas	Stinson
McCann	Stubbs
McDonald	Taylor
McGlasson	Turner
McLellan	Vale
McMurry	Wattner
Manning	Weatherford
Markle	White
Martin	

Nays—25

Blankenship	Matthews
Brawner	Morris
Bridgers	Morse
Carlton	Nicholson
Craig	Phillips
Favors	Roark
Fitzgerald	Smith of Atascosa
Goodman	Spangler
Henderson	Stanford
Hughes	Thornton
Jones	Voigt
Kelly	Walters
McAlister	

Absent

Anderson	Hartzog
Bean	Howard
Bell	Kersey
Bray	Kinard
Bundy	Lansberry
Celaya	Lyle
Daniel	Manford
Davis	Murray
Deen	Pace
Duckett	Sharpe
Garland	Shell
Hardeman	Whitesides

Absent—Excused

Brown	Morgan
Gilmer	Winfree
McNamara	

Mr. Dwyer then moved to reconsider the vote by which the House

refused to adopt the Conference Committee report on House Bill No. 76.

The motion to reconsider prevailed.

Question: Shall the Conference Committee report on House Bill No. 76 be adopted?

Mr. Alsup moved that the report be not adopted and that same be sent back to the same Conference Committee for further consideration.

The motion prevailed.

HOUSE BILL NO. 233 WITH SENATE AMENDMENTS

Mr. Alsup called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 233, A bill to be entitled "An Act appropriating the sum of Nine Hundred Seventy-seven Thousand, Three Hundred and Thirty-two Dollars (\$977,332) per year, or so much thereof as may be necessary, for the next biennium beginning September 1, 1941, and ending August 31, 1943, from the General Revenue Fund for the purpose of promoting public school interests and assisting local districts in the teaching of vocational agriculture, home economics, trades and industries general rehabilitation, and rehabilitation for crippled children according to the Federal laws governing vocational education, all of which shall be matched by Federal funds; providing for the administration, attaching conditions, regulations, and limitations relative thereto, making various allocations of said appropriation; authorizing aid to such schools in accordance with the conditions specified herein; providing for certain regulations concerning qualification of teachers; providing all costs of administering funds named in this Act shall be paid out of monies appropriated in this Act under the authority of the State Superintendent of Public Instruction under the direction of the State Board of Education; defining the powers of the State Board of Education and the State Superintendent; and declaring an emergency."

Mr. Alsup moved that the House do not concur in the Senate amend-

ments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

Mr. Spacek moved to reconsider the vote by which the House refused to concur in Senate amendments to House Bill No. 233.

On motion of Mr. Alsup the motion by Mr. Spacek was tabled.

HOUSE BILL NO. 569 WITH SENATE AMENDMENTS

Mr. Crosthwait called up from the Speaker's table, with Senate amendments for consideration of the amendments,

H. B. No. 569, A bill to be entitled "An Act to amend Special Laws, Acts 42nd Legislature, page 457, Chapter 236, Section 1, known as Article 1702a, Revised Civil Statutes of Texas, establishing a County Law Library in certain counties; providing a fund to be raised by collecting costs in certain civil and criminal cases, and for the administration of said fund; providing for appointment of custodian or librarian and assistants; providing for housing and management; and declaring an emergency."

On motion of Mr. Crosthwait the House concurred in the Senate amendments by the following vote:

Yeas—124

Allen	Cleveland
Allison	Coker
Alsup	Colson, Mrs.
Anderson	Connelly
Bailey	Crossley
Baker	Crosthwait
Bell	Dickson of Bexar
Benton	Donald
Blankenship	Dove
Boone	Ellis
Brawner	Eubank
Bray	Evans
Bridgers	Favors
Bruhl	Ferguson
Bullock	Files
Bundy	Fitzgerald
Burkett	Fuchs
Burnaman	Goodman
Carlton	Halsey
Carrington	Hanna
Cato	Hardeman
Chambers	Hargis
Clark	Harris of Dallas

Harris of Hill	Matthews
Heflin	Mills
Helpinstill	Montgomery
Henderson	Moore
Hileman	Morris
Hobbs	Morse
Howard	Murray
Howington	Pace
Huddleston	Parker
Huffman	Pevehouse
Hughes	Phillips
Humphrey	Price
Hutchinson	Rampy
Isaacks	Reed of Bowie
Jones	Reed of Dallas
Kelly	Ridgeway
Kennedy	Rhodes
Kersey	Roberts
Kinard	Sallas
King	Senterfitt
Klingeman	Shell
Knight	Simpson
Lansberry	Skiles
Lehman	Smith of Bastrop
Leyendecker	Smith of Atascosa
Little	Spacek
Lock	Spangler
Love	Stinson
Lowry	Stubbs
Lucas	Thornton
McAlister	Turner
McCann	Vale
McDonald	Voigt
McGlasson	Walters
McMurry	Wattner
Manford	Weatherford
Manning	White
Markle	Whitesides
Martin	

Absent

Avant	Garland
Bean	Hartzog
Celaya	Hoyo
Craig	Lyle
Daniel	McLellan
Davis	Nicholson
Deen	Roark
Dickson of Nolan	Sharpe
Duckett	Stanford
Dwyer	Taylor
Gandy	

Absent—Excused

Brown	Morgan
Gilmer	Winfree
McNamara	

**HOUSE BILL NO. 892 WITH
SENATE AMENDMENTS**

Mr. Avant called up from the Speaker's table, with Senate amend-

ments for consideration of the amendments,

H. B. No. 892, A bill to be entitled "An Act making it unlawful to take or kill by trap, snare, or deadfall any fur-bearing animals in the County of Harrison; providing certain exceptions; providing the length of this Act; prescribing a penalty; and declaring an emergency."

On motion of Mr. Avant the House concurred in the Senate amendments by the following vote:

Yeas—119

Allen	Hobbs
Allison	Howard
Alsup	Howington
Avant	Hoyo
Bailey	Huddleston
Baker	Huffman
Bell	Hughes
Benton	Humphrey
Blankenship	Hutchinson
Boone	Isaacks
Brawner	Jones
Bridgers	Kelly
Bruhl	Kennedy
Bullock	Kinard
Bundy	King
Burkett	Klingeman
Burnaman	Knight
Carlton	Lansberry
Carrington	Lehman
Cato	Leyendecker
Clark	Little
Cleveland	Lock
Colson, Mrs.	Love
Connelly	Lowry
Crossley	Lucas
Crosthwait	McAlister
Dickson of Bexar	McCann
Dove	McDonald
Ellis	McGlasson
Eubank	McLellan
Evans	McMurry
Ferguson	Manford
Files	Manning
Fitzgerald	Markle
Fuchs	Martin
Gandy	Matthews
Goodman	Mills
Halsey	Montgomery
Hanna	Moore
Hargis	Morris
Harris of Dallas	Morse
Harris of Hill	Murray
Heflin	Nicholson
Helpinstill	Pace
Henderson	Parker
Hileman	Pevehouse

Phillips	Spacek
Price	Spangler
Rampy	Stanford
Reed of Bowie	Stinson
Reed of Dallas	Stubbs
Ridgeway	Thornton
Rhodes	Turner
Roberts	Vale
Sallas	Walters
Senterfitt	Wattner
Simpson	Weatherford
Skiles	White
Smith of Bastrop	Whitesides
Smith of Atascosa	

Present—Not Voting

Bray

Absent

Anderson	Dwyer
Bean	Favors
Celaya	Garland
Chambers	Hardeman
Coker	Hartzog
Craig	Kersey
Daniel	Lyle
Davis	Roark
Deen	Sharpe
Dickson of Nolan	Shell
Donald	Taylor
Duckett	Voigt

Absent—Excused

Brown	Morgan
Gilmer	Winfree
McNamara	

HOUSE BILL NO. 349 WITH SENATE AMENDMENTS

Mr. Skiles called up from the Speaker's table, with Senate amendments for consideration of the amendments,

H. B. No. 349, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas and the branches thereof, the Board of Directors of the Agricultural and Mechanical College and its branches, the Board of Directors of Texas Technological College, the Board of Regents of the State Teachers' Colleges, the Board of Directors of the Texas State College for Women, and the Board of Directors of the College of Arts and Industries to charge students building use fees of not to exceed Five (\$5.00) Dollars per semester for the construction and equipment of buildings and power plants, the paving of streets, the

purchase of land, and for other capital improvements; providing that such acquisition, equipment and construction shall be without cost to the State of Texas; etc., and declaring an emergency."

On motion of Mr. Skiles the House concurred in the Senate amendments by the following vote:

Yeas—119

Allen	Howington
Allison	Hoyo
Alsup	Hughes
Anderson	Humphrey
Avant	Hutchinson
Bailey	Jones
Baker	Kelly
Bell	Kennedy
Benton	Kinard
Blankenship	King
Boone	Klingeman
Brawner	Knight
Bray	Lansberry
Bridgers	Lehman
Bruhl	Leyendecker
Bullock	Little
Bundy	Lock
Burkett	Love
Burnaman	Lowry
Carlton	Lucas
Carrington	McAlister
Cato	McCann
Chambers	McDonald
Clark	McGlasson
Cleveland	McLellan
Coker	McMurry
Connelly	Manford
Craig	Manning
Dickson of Bexar	Markle
Dove	Martin
Duckett	Matthews
Ellis	Mills
Eubank	Montgomery
Evans	Moore
Favors	Morris
Ferguson	Morse
Fitzgerald	Murray
Fuchs	Nicholson
Gandy	Pace
Goodman	Parker
Halsey	Phillips
Hanna	Price
Hardeman	Rampy
Hargis	Reed of Bowie
Harris of Dallas	Reed of Dallas
Harris of Hill	Ridgeway
Helpinstill	Rhodes
Henderson	Roberts
Hileman	Sallas
Hobbs	Senterfitt

Simpson	Thornton
Sklies	Turner
Smith of Bastrop	Vale
Smith of Atascosa	Voigt
Spacek	Walters
Spangler	Wattner
Stanford	Weatherford
Stinson	White
Stubbs	Whitesides
Taylor	

Absent

Bean	Hartzog
Celaya	Heflin
Colson, Mrs.	Howard
Crossley	Huddleston
Crosthwait	Huffman
Daniel	Isaacks
Davis	Kersey
Deen	Lyle
Dickson of Nolan	Pevehouse
Donald	Roark
Dwyer	Sharpe
Files	Shell
Garland	

Absent—Excused

Brown	Morgan
Gilmer	Winfree
McNamara	

RELATIVE TO HOUSE BILL
NO. 541

Mr. Coker moved that the House grant the request of the Senate for the return of House Bill No. 541.

The motion prevailed.

HOUSE BILL NO. 795 WITH
SENATE AMENDMENTS

Mr. Hartzog called up from the Speaker's table, with Senate amendments for consideration of the amendments,

H. B. No. 795, A bill to be entitled "An Act authorizing the Commissioners' Court in any county having a population of not less than one hundred two thousand (102,000) and not more than one hundred ten thousand (110,000), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business; requiring each such Commissioner to pay the expense of operation and repair of such automobile so used by him without further expense to the county, and declaring an emergency."

On motion of Mr. Hartzog the House concurred in the Senate amendments by the following vote:

Yeas—118

Allen	Hughes
Allison	Humphrey
Alsup	Hutchinson
Avant	Isaacks
Bailey	Jones
Baker	Kelly
Bell	Kennedy
Benton	Kersey
Blankenship	King
Boone	Klingeman
Brawner	Knight
Bray	Lansberry
Bridgers	Lehman
Bruhl	Leyendecker
Bullock	Little
Bundy	Lock
Burkett	Love
Burnaman	Lowry
Carlton	Lucas
Carrington	McCann
Cato	McDonald
Chambers	McGlasson
Clark	McLellan
Cleveland	Manford
Coker	Manning
Colson, Mrs.	Markle
Connelly	Martin
Crossley	Matthews
Dickson of Bexar	Mills
Donald	Montgomery
Dove	Moore
Duckett	Morris
Ellis	Morse
Eubank	Murray
Evans	Pace
Favors	Parker
Ferguson	Pevehouse
Files	Phillips
Fitzgerald	Price
Fuchs	Rampy
Gandy	Reed of Bowie
Goodman	Reed of Dallas
Halsey	Ridgeway
Hanna	Rhodes
Hardeman	Roark
Hargis	Roberts
Harris of Dallas	Sallas
Harris of Hill	Senterfitt
Hartzog	Shell
Heflin	Simpson
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spacek
Hobbs	Stinson
Howard	Stubbs
Howington	Taylor
Hoyo	Thornton
Huddleston	Turner

Vale
Voigt
Walters
Watner

Weatherford
White
Whitesides

Absent

Anderson	Huffman
Bean	Kinard
Celaya	Lyle
Craig	McAlister
Crosthwait	McMurry
Daniel	Nicholson
Davis	Sharpe
Deen	Skiles
Dickson of Nolan	Spangler
Dwyer	Stanford
Garland	

Absent—Excused

Brown	Morgan
Gilmer	Winfree
McNamara	

Mr. Hartzog moved to reconsider the vote by which the House concurred in Senate amendments to H. B. No. 795, and to table the motion to reconsider.

The motion to table prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 369

Mr. Bell submitted the following Conference Committee report on House Bill No. 369:

Austin, Texas, May 5, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Hon. Coke R. Stevenson, President of the Senate.

Sirs: We, your Conference Committee appointed to adjust the differences between the Senate and the House on House Bill No. 369, have had same under consideration, and beg leave to report it back to the Senate and House with the recommendation that said bill be adopted in the form attached hereto.

Respectfully submitted,

MAURITZ,
LOVELADY,
STONE.

On the part of the Senate.

BELL,
MORRIS,
SKILES,
LYLE,
HARTZOG.

On the part of the House.

H. B. No. 369,

A BILL To Be Entitled

An Act fixing the salaries and traveling expenses for County Commissioners in counties of not less than twenty-four thousand, nine hundred (24,900) and not more than twenty-five thousand (25,000) inhabitants; and fixing traveling expenses for County Commissioners in counties having a population of not less than fifty thousand (50,000) and not exceeding sixty thousand (60,000) inhabitants, and having an assessed valuation exceeding Seventy-five Million Dollars (\$75,000,000.00) according to the last approved tax rolls for the preceding year; repealing all laws and parts of laws in conflict; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the salaries and compensation of the County Commissioners in all counties having a population of not less than twenty-four thousand, nine hundred (24,900) inhabitants and not more than twenty-five thousand (25,000) inhabitants shall be Eighteen Hundred Dollars (\$1800) per annum, payable in equal monthly installments, and that the Commissioners Court is hereby authorized to allow each commissioner not in excess of Fifty Dollars (\$50.00) per month as traveling expenses; and in any county having a population of not less than fifty thousand (50,000) and not more than sixty thousand (60,000) inhabitants, and having an assessed valuation exceeding Seventy-five Million Dollars (\$75,000,000.00), according to the last approved tax rolls for the preceding year, is hereby authorized to allow each County Commissioner the sum of Fifty Dollars (\$50.00) per month as traveling expenses.

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 3. The fact that salaries and traveling expenses for County Commissioners in counties affected by this Act are grossly inadequate creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Bell, the report was adopted by the following vote:

Yeas—120

Allen	Heflin
Allison	Helpinstill
Alsup	Henderson
Avant	Hileman
Bailey	Hobbs
Baker	Howard
Bell	Howington
Benton	Hoyo
Blankenship	Huddleston
Boone	Hughes
Brawner	Humphrey
Bray	Hutchinson
Bridgers	Isaacks
Bruhl	Jones
Bundy	Kennedy
Burkett	Kinard
Burnaman	King
Carlton	Klingeman
Cato	Knight
Chambers	Lansberry
Clark	Lehman
Cleveland	Leyendecker
Coker	Little
Colson, Mrs.	Lock
Connelly	Love
Craig	Lowry
Crossley	Lucas
Crothwait	McCann
Dickson of Bexar	McDonald
Duckett	McGlasson
Ellis	McLellan
Eubank	McMurry
Evans	Manford
Favors	Manning
Ferguson	Markle
Files	Martin
Fitzgerald	Matthews
Fuchs	Montgomery
Gandy	Moore
Goodman	Morris
Halsey	Morse
Hanna	Murray
Hardeman	Nicholson
Hargis	Pace
Harris of Dallas	Parker
Harris of Hill	Pevhouse

Phillips	Smith of Atascosa
Price	Spacek
Rampy	Spangler
Reed of Bowie	Stinson
Reed of Dallas	Stubbs
Ridgeway	Taylor
Rhodes	Thornton
Roark	Turner
Roberts	Vale
Sallas	Walters
Senterfitt	Wattner
Shell	Weatherford
Simpson	White
Smith of Bastrop	Whitesides

Absent

Anderson	Garland
Bean	Hartzog
Bullock	Huffman
Carrington	Kelly
Celaya	Kersey
Daniel	Lyle
Davis	McAlister
Deen	Mills
Dickson of Nolan	Sharpe
Donald	Skiles
Dove	Stanford
Dwyer	Voigt

Absent—Excused

Brown	Morgan
Gilmer	Winfree
McNamara	

APPOINTMENT OF COMMITTEE PURSUANT TO HOUSE SIMPLE RESOLUTION NO. 236

In compliance with House Simple Resolution No. 236, To make certain investigation in regard to State Eleemosynary Institutions, the Speaker announced the appointment of the following committee:

Messrs. Bundy, Chairman; McGlasson, Ridgeway, Burkett and Stanford.

EXTENDING CONGRATULATIONS OF THE HOUSE TO HON. W. O. REED

Mr. Harris of Dallas offered the following resolution:

H. S. R. No. 262, Extending Congratulations of the House to Honorable W. O. Reed.

Whereas, The Hon. W. O. Reed has served the County of Dallas and the State of Texas with much honor and distinction as a Member of the House of Representatives since the 42nd Legislature; and

Whereas, His service as a Member of the House of Representatives and as chairman of various important committees throughout his service as a member has been such as to make him an outstanding figure in the public life of the great State of Texas; and

Whereas, The Members of the House of Representatives have learned that May 12, 1941, marks another milestone in the life's journey of our most beloved fellow Member, the Hon. W. O. Reed; and

Whereas, It is the hope of this body that he continue to serve as a Member of the House as long as he desires to do so; now, therefore, be it

Resolved, by the House of Representatives, That the Hon. W. O. Reed be congratulated on his birthday and that he be wished many happy returns of the day; and be it further

Resolved, That the Enrolling Clerk be authorized to send a copy of this resolution to the gentleman named above.

HARRIS of Dallas,
HANNA,
STINSON,
BLANKENSHIP,
CROSTHWAIT.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hardeman, Hargis, Harris of Hill, Hartzog, Hefflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansbery, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlas-

son, McLellan, McMurtry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Alsup, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

MESSAGE FROM THE SENATE

Austin, Texas, May 12, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 119, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Acts 1927, 40th Legislature, First Called Session, page 104, Chapter 35, Section 1, etc.; and declaring an emergency."

S. B. No. 414, A bill to be entitled "An Act amending Chapter 467, Acts of the Second Called Session of the 44th Legislature, as amended by House Bill No. 8, Acts of the Third Called Session of the 44th Legislature, etc.; and declaring an emergency."

S. B. No. 455, A bill to be entitled "An Act authorizing the separation or divorcement of public schools from municipal control in municipal school districts entirely surrounded by a county line common school district, pursuant to an election to be held for that purpose, etc.; and declaring an emergency."

S. B. No. 462, A bill to be entitled "An Act granting permission to Mount Olivet Cemetery Company, a private corporation chartered under the laws of this State, and to bring and prosecute suit against the State

of Texas in any court of competent jurisdiction in Tarrant County, Texas, etc.; and declaring an emergency."

S. B. No. 465, A bill to be entitled "An Act making an appropriation of One Thousand, Six Hundred (\$1,600.00) Dollars or so much thereof as may be necessary, to pay a certain judgment rendered on June 19, 1939, in the District Court of Gonzales County, Texas, etc.; and declaring an emergency."

Adopted

S. C. R. No. 40, Granting permission to the Federal Crude Oil Company to bring suit against the State of Texas.

S. C. R. No. 50, Relative to National Preparedness and Rearmament Program, etc.

S. C. R. No. 51, Relative to lending guard wire to the Cemetery Association of Meridian, Texas.

H. C. R. No. 113, Authorizing the Board of Control to execute an extension of a lease to the City of Austin for a certain tract of land.

H. C. R. No. 122, Authorizing the Board of Regents of North Texas Teachers College to dispose of a certain tract of land no longer usable to said college.

Passed

H. B. No. 272, A bill to be entitled "An Act making appropriations for educational institutions of higher learning, and declaring the policy thereof, etc.; and declaring an emergency." (With amendments.)

H. B. No. 144, A bill to be entitled "An Act amending Article 3902, Section 1, of the Revised Civil Statutes of Texas of 1925, by adding Section 1b, providing for salaries of heads of departments which may be appointed by the Commissioners Courts of certain counties, etc.; and declaring an emergency."

H. B. No. 495, A bill to be entitled "An Act granting permission to E. B. Rodriguez to bring suit against the State of Texas and/or Highway Department, etc.; and declaring an emergency." (With amendments.)

H. B. No. 711, A bill to be entitled "An Act providing for a more ade-

quate and equitable salary and increasing the amount for office and travel expenditures for county superintendents of public instruction in certain counties, etc.; and declaring an emergency." (With amendments.)

H. B. No. 753, A bill to be entitled "An Act amending subsection (n), Section 19, Chapter 482, Acts of the Forty-fourth Legislature, Third Called Session, as amended in subsection (n), Section 19, Chapter 67, Acts of the Forty-fifth Legislature, etc.; and declaring an emergency." (With amendments.)

H. B. No. 775, A bill to be entitled "An Act amending Article 3912e, Section 15 of Chapter 1 of Title 61 of the Revised Civil Statutes of the State of Texas, by adding to Article 3912e, after Section 15, an additional section to be known as Section 15a, etc.; and declaring an emergency."

H. B. No. 776, A bill to be entitled "An Act amending Chapter 2 of Title 34, Article 1645, of the Revised Civil Statutes of the State of Texas, 1925, providing for a new article to be added after 1645, providing that the County Auditor in certain counties shall receive as compensation for his services One Hundred and Fifty Dollars (\$150) for each One Million Dollars (\$1,000,000) or major portion thereof on the assessed valuation, etc.; and declaring an emergency."

H. B. No. 777, A bill to be entitled "An Act amending House Bill No. 6, Acts 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, as amended, by adding a new section, providing that in certain counties the County Tax Collector may establish a suboffice or branch office for the sale of motor vehicle license plates, etc.; and declaring an emergency."

H. B. No. 905, A bill to be entitled "An Act fixing the compensation of sheriffs in certain counties in which there are no district attorneys, etc.; and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,
Secretary of the Senate.

INVITING GENERAL MAXIMINO
CAMACHO TO ADDRESS A
JOINT SESSION OF THE
LEGISLATURE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 54, Inviting General Maximino Avila Camacho to address a Joint Session of the Legislature.

Whereas, There is present in the State of Texas, General Maximino Avila Camacho, a distinguished citizen of the Republic of Mexico, and the brother of his Excellency Senor Manuel Avila Camacho, President of the said Republic of Mexico; and

Whereas, The friendly relations now existing between the peoples of Mexico and the United States have been largely brought about through the cooperation of President Camacho with our own great President; and

Whereas, The distinguished United States Senator from the State of New Mexico, The Honorable Dennis Chavez, is accompanying General Maximino Avila Camacho upon his tour of Texas; and

Whereas, There is a group of distinguished patriots and citizens of the Republic of Mexico accompanying General Camacho; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that General Maximino Avila Camacho, United States Senator Dennis Chavez, and the group of distinguished citizens of Mexico be invited to attend a Joint Session of the Texas Legislature on Monday, May 12th, 1941, at 11:30 o'clock a. m., and, be it further

Resolved, That General Maximino Avila Camacho be invited to address the Joint Session of the Texas Legislature.

The resolution was read second time and was unanimously adopted.

RECALLING HOUSE BILL NO. 903
FROM THE GOVERNOR

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 52, Recalling House Bill No. 903 from the Governor.

Whereas, House Bill No. 903, by Lansberry has finally passed both the House and the Senate, and has been sent to the Governor; and

Whereas, In order to give full force and effect to the provisions of said bill, it is necessary to make several corrective changes therein; now, therefore, be it

Resolved, By the Senate of Texas and the House of Representatives concurring, That the Governor be and he is hereby requested to return House Bill No. 903 to the House of Representatives for further consideration, and that the Speaker of the House and the Chief Clerk of the House, the Lieutenant Governor and the Secretary of the Senate be requested to erase their names from said bill.

The resolution was read second time and was adopted.

AUTHORIZING THE LOAN OF
CERTAIN HIGHWAY
EQUIPMENT

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 53, Authorizing the Loan of Certain Highway Equipment.

Whereas, The State Highway Department of Texas has a large quantity of discarded guard wire; and

Whereas, This guard wire can be used to great advantage by the schools to fence their grounds; and

Whereas, It would be a great accommodation for the schools to borrow from the State Highway Department this discarded guard wire; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, That the State Highway Department of Texas be authorized to lend the Tioga Schools of Tioga, Texas, sufficient quantities of the discarded guard wire, if said guard wire is available, to take care of the particular case relative to said schools, and it is so resolved.

The resolution was read second time and was adopted.

RELATIVE TO THE ENFORCE-
MENT OF CERTAIN REGU-
LATORY LAWS

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 49, Relative to the Enforcement of Certain Regulatory Laws.

Whereas, Representatives of sugar beet growers' associations from the States of Michigan, Ohio, Indiana, and other states, recruited and took from Texas more than 15,000 qualified agricultural workers during the months of April and May of the year 1940, to work in the sugar beet industry in those various states, where they largely remained until after the Texas cotton crop was harvested; and

Whereas, Representatives of these same associations are now in Texas for the purpose of again drawing on the Texas agricultural labor market for an equal or greater number of healthy workers than was transported out of the State last year, thereby depleting the narrowing Texas labor supply by that number; and

Whereas, With the acceleration of National Defense activity, depletion through Selective Service, and upswing in industrial employment, emergency conditions obtain to the end that this State will suffer from a severe shortage of qualified agricultural labor during the coming cultivating and harvest seasons; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, That all regulatory laws now on the statutes, namely, the Emigrant Agency Act, the Motor Bus Transportation Law, State Health Laws, and such other laws as may stop this movement, be vigorously enforced by the proper enforcing agencies, in order that our labor supply may be conserved to safeguard Texas agriculture in these times of National crisis.

The resolution was read second time and was adopted.

HOUSE BILL NO. 272 WITH
SENATE AMENDMENTS

Mr. Reed of Dallas, called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 272, A bill to be entitled "An Act fixing appropriations for educational institutions of higher learning, and declaring the policy thereof; prescribing certain rules and regulations to be followed in determining said appropriations; requiring adults; making appropriations for the support, maintenance, buildings, and improvements of the several State institutions of higher learning for the two fiscal years, beginning September 1, 1941, and ending August 31, 1943, both dates inclusive; and for certain other educational agencies of the State; prescribing certain restrictions concerning the expenditures of said appropriations; containing a saving clause; and declaring an emergency."

Mr. Reed of Dallas moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

(Mr. Reed of Dallas in the Chair.)

HOUSE BILL NO. 853 ON
SECOND READING

The Chair laid before the House, as pending special order, on its second reading and passage to engrossment,

H. B. No. 853, A bill to be entitled "An Act to amend Chapter 314, General Laws of the State of Texas, 41st Legislature, Regular Session, as amended by Chapter 24 of the General Laws of the Second Called Session thereof, and as amended by Chapter 277 of the General Laws of the State of Texas, Regular Session, 42nd Legislature, being Article 911b, Revised Civil Statutes of the State of Texas, 1925, so as to require the granting by the Railroad Commission of certificates of public convenience and necessity for the operation of motor vehicles for the transportation of property for compensation or hire over the public highways of this State between and serving cities, towns and villages which are connected by and served by the railroad involved in the application, and between cities, towns and villages located on or served by

any railroad, provided such cities, towns and villages shall be within the normal territory of the railroad involved in the application, upon the filing of applications therefor and notice and hearing thereof to railroads operating in this State, to companies other than railroad companies, the majority of whose stock is owned by railroad companies operating in this State, to companies other than railroad companies, the majority of whose stock is owned by a company which also owns the majority of the stock of a railroad company operating in this State, etc.; and declaring an emergency."

The bill was read second time.

(Speaker in the Chair.)

Mr. Alsup moved to recommit House Bill No. 853 to the Committee on State Affairs.

Mr. Morris moved to table the motion to recommit.

(Pending consideration of the motion, Mr. Bean occupied the Chair temporarily.)

(Speaker in the Chair.)

Question: Shall the motion to table prevail?

SPECIAL COMMITTEE APPOINTED

The Speaker announced the appointment of the following committee to escort General Maximino Avila Camacho and party to the Speaker's stand:

Messrs. Isaacks, Bridgers, Bean, Vale, Huffman, Leyendecker and Favors.

ADDRESS BY GENERAL MAXIMINO AVILA CAMACHO

(In Joint Session)

In accordance with the provisions of Senate Concurrent Resolution No. 54, adopted by the House and Senate on this morning for the purpose of hearing General Maximino Avila Camacho, at 11:30 a. m., today, the Honorable Senators, escorted by Hon. Bob Barker, Secretary of the Senate, were announced at the bar of the House and, being duly admitted, were escorted to seats prepared for them along the aisle.

Lieutenant Governor Coke R. Stevenson was escorted to a seat on the Speaker's stand.

General Maximino Avila Camacho and party, accompanied by Governor W. Lee O'Daniel, escorted by Senators Fain, Lovelady, Smith, Metcalfe, Kelley and Winfield, Committee on the part of the Senate, and Messrs. Isaacks, Bridgers, Bean, Vale, Huffman, Leyendecker and Favors, Committee on the part of the House, were announced at the bar of the House and were escorted to seats on the Speaker's stand.

Lieutenant Governor Coke R. Stevenson called the Senate to order and stated that the two Houses were in Joint Session for the purpose of hearing General Maximino Avila Camacho.

The Lieutenant Governor directed the Clerk to call the roll of the Senate.

The roll of the Senate was called and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Spears
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Smith

A quorum of the Senate was announced present.

Speaker Homer Leonard called the House to order and directed the Clerk to call the roll of the House.

The roll of the House was called and the following Members were present:

Mr. Speaker	Anderson
Allen	Avant
Allison	Bailey
Alsup	Baker

Bean	Hutchinson
Bell	Isaacks
Benton	Jones
Blankenship	Kelly
Boone	Kennedy
Brawner	Kersey
Bray	Kinard
Bridgers	King
Bruhl	Klingeman
Bullock	Knight
Bundy	Lansberry
Burkett	Lehman
Burnaman	Leyendecker
Carlton	Little
Carrington	Lock
Cato	Love
Celaya	Lowry
Chambers	Lucas
Clark	Lyle
Cleveland	McAlister
Coker	McCann
Colson, Mrs.	McDonald
Connelly	McGlasson
Craig	McLellan
Crossley	McMurry
Crosthwait	Manford
Daniel	Manning
Davis	Markle
Deen	Martin
Dickson of Bexar	Matthews
Donald	Mills
Dove	Montgomery
Duckett	Moore
Dwyer	Morris
Ellis	Morse
Eubank	Murray
Evans	Nicholson
Favors	Pace
Ferguson	Parker
Files	Pevhouse
Fitzgerald	Phillips
Fuchs	Price
Gandy	Rampy
Goodman	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Sallas
Hartzog	Senterfitt
Heflin	Shell
Helpinstill	Simpson
Henderson	Skiles
Hileman	Smith of Bastrop
Hobbs	Smith of Atascosa
Howard	Spacek
Howington	Spangler
Hoyo	Stanford
Huddleston	Stinson
Huffman	Stubbs
Hughes	Taylor
Humphrey	Thornton

Turner	Wattner
Vale	Weatherford
Voigt	White
Walters	Whitesides

Absent

Dickson of Nolan	Sharpe
Garland	

Absent—Excused

Brown	Morgan
Gilmer	Winfree
McNamara	

A quorum of the House was announced present.

Speaker Leonard presented Senator Clem Fain, who presided during the Joint Session and presented Lieutenant Governor Coke R. Stevenson, who addressed the Joint Session.

Senator Fain then presented Hon. Augustine Celaya, who introduced those members of the Congress of Mexico accompanying General Camacho.

Hon. Homer Leonard, Speaker of the House, was then presented and addressed the Joint Session and introduced Hon. Dennis Chavez, junior United States Senator from the State of New Mexico.

Senator Chavez addressed the Joint Session.

Senator Fain presented Governor W. Lee O'Daniel, who introduced General Maximino Avila Camacho to the Joint Session.

General Camacho addressed the Joint Session.

SENATE RETIRES

At the conclusion of the Joint Session, the Senate, at 12:45 o'clock p. m., retired to its Chamber.

On motion of Mr. Anderson, the remarks of General Maximino Avila Camacho and the Honorable Dennis Chavez, in addressing the Joint Session, were ordered printed in the Journal.

(Note: Copy of addresses not available.)

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker, signed, in the presence of the House, after giving due

notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 204, "An Act making it unlawful to kill wild turkey in certain counties; etc.."

S. C. R. No. 41, Authorizing the loan of certain highway equipment.

H. B. No. 958, "An Act conferring upon the Board of Directors of the Agricultural and Mechanical College of Texas the power of eminent domain to acquire land for the use of the college; and declaring an emergency."

H. B. No. 264, "An Act to amend Article 4733, Chapter 3, Title 78, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 899, "An Act to provide for traveling expenses for members of the Commissioners' Courts to certain counties; and declaring an emergency."

H. B. No. 820, "An Act for the purpose of better conserving the marine fish resources of this State by placing a closed season on shrimp in the inland salt water of this State during the period of time from and between the 15th day of June and the 31st day of August and during the period of time from and between the 15th day of December and the 1st day of March of any year; providing that shrimp may be taken at any time of the year, with certain tackle, for bait; making it the duty of the Game, Fish and Oyster Commission to classify and reclassify salt water fish and authorize the taking of non-game species subject to certain limitations and license; providing a penalty for violations of this Act; providing for the seizing of tackle for evidence; repealing Section 1-D of Article 941 of the Penal Code and all laws conflicting herewith; and declaring an emergency."

H. B. No. 728, "An Act authorizing Boards of Trustees in all independent school districts located in any county having a population of more than forty-five thousand (45,000) inhabitants and having an assessed valuation of not more than Seven Hundred Seventy-five Thousand (\$775,000.00) Dollars and not less than

Five Hundred Fifty Thousand (\$550,000.00) Dollars, to issue refunding warrants to bear interest at the rate of three per centum (3%) per annum, for the purpose of paying salaries of employees of the schools; providing that the total amount of such warrants outstanding shall never exceed Five Thousand (\$5,000.00) Dollars at any given time; providing that such warrants shall be issued serially and paid in order; providing the manner of issuing such warrants and validating the same; providing for the levy of a tax by the Board of Trustees to pay the interest on and retire such warrants within a designated time; and declaring an emergency."

H. B. No. 852, "An Act providing that in all counties in this State having a population of not less than 6,650 nor more than 7,000, according to the last preceding Federal Census, the County Commissioners shall receive an annual salary of One Thousand Two Hundred (\$1,200.00) Dollars, payable in twelve equal monthly installments out of the general fund of the county or out of such other funds as the Commissioners' Court may designate; and declaring an emergency."

H. B. No. 518, "An Act authorizing the Commissioners' Courts in all counties having a population of not less than one hundred thousand (100,000) and not more than one hundred ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, to determine the maximum annual salary to be paid an officer named in Section 13 of Chapter 465 of the Acts of the Second Called Session of the Forty-fourth Legislature, where such officer's salary was based upon population under the laws existing on August 24, 1935, on the basis of the population of said county, according to the last preceding Federal Census; provided that the Commissioners' Courts in said counties are authorized to fix the maximum annual salary for the balance of the fiscal year 1941 after the effective date of this Act on the basis of the Federal Census of 1940 and thereafter according to the last preceding Federal Census, and declaring an emergency."

H. B. 747, "An Act amending House Bill No. 482, Acts of the 46th Legislature, to include Dimmit County in the provisions of said Act; and declaring an emergency."

H. B. No. 585, "An Act making it unlawful to hunt, take or kill any squirrel except during the months of October, November, and December in Cherokee County; providing for a penalty; repealing all conflicting laws; and declaring an emergency."

H. B. No. 959, "An Act authorizing the Commissioners' Court in Jackson County to allow each County Commissioner certain expenses in connection with the performance of the duties as Road Commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

H. B. No. 910, "An Act to amend Chapter 166 of the Acts of the Regular Session of the Forty-fourth Legislature, appearing as Article 7246A of Vernon's Civil Statutes, so that the same shall read and provide as hereinafter shown, that is as the same now reads, and by adding a section thereto fixing the authority and duties, in certain enumerated cases, of assessors and collectors of taxes in counties having a population of more than five hundred thousand (500,000) inhabitants according to the last preceding or any future Federal Census, by authorizing the making of certain oaths and affidavits before such assessors and collectors of taxes and their deputies; providing for the issuance of certain receipts or certificates by such assessors and collectors of taxes and their deputies, fixing fees for all such acts, providing that such fees shall be fees of office and accounted for as such; and declaring an emergency."

H. B. No. 859, "An Act making it unlawful to kill quail in Cherokee County except on certain days of the week during the period beginning December 1st and ending January 16th each year; fixing a bag limit; providing a penalty; defining what constitutes hunting; and declaring an emergency."

H. B. No. 928, "An Act amending Section 4 of Chapter 290, Acts of the 41st Legislature, as amended by Sec-

tion 1, Chapter 130, Acts of the 45th Legislature, so as to provide for a separate Board of Trustees for all Municipal Colleges in the State of Texas, organized prior to the year 1923, and providing the method of electing said Board of Trustees and providing for the powers and duties of said Board; repealing all laws in conflict therewith; and declaring an emergency."

H. B. No. 613, "An Act repealing Article 2883a, Chapter 17, Revised Statutes of Texas, Acts of the 46th Legislature; and declaring an emergency."

H. B. No. 118, "An Act defining and regulating the sale and/or resale of used and/or second-hand watches in the State of Texas; defining terms used therein; specifying acts constituting offenses and providing penalties therefor; providing that if any provisions of this Act shall be held unconstitutional or invalid, the remainder shall not be affected thereby; and declaring an emergency."

H. B. No. 444, "An Act to amend House Bill No. 20, Acts of the 46th Legislature, Regular Session, reciting the legislative determination and declaration of policy; describing the consequence of soil erosion and the depletion of the fertility of the soil; reciting appropriate corrective methods; defining certain words and phrases used in this Act; establishing the State Soil Conservation Board; establishing five (5) State Districts; providing the manner of election of members of the State Soil Conservation Board; fixing the terms of office and defining the powers and duties of said members of said State Soil Conservation Board; providing for the creation of County Soil Conservation Committees; defining the duties and compensation of the members thereof; providing for the compensation of members of the State Soil Conservation Board, etc.; and declaring an emergency."

H. B. No. 923, "An Act amending Article 3259 of the Revised Civil Statutes of Texas of 1925, as amended by Acts 1939, Ch. 1, p. 429, H. B. 539, relating to Waco State Home, by changing the maximum number of children that may be boarded, at

any given time, to twenty (20) such children; emergency clause."

H. B. No. 861, "An Act to amend Subdivision 106 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the length of the terms of District Court and the time of holding the terms of District Court in Terry, Lynn, Garza, Dawson, Gaines and Yoakum Counties, constituting the One Hundred and Sixth Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of court in said counties and district, as herein fixed; to validate the summoning of grand and petit juries under the present law so as to render them available in said counties under this Act."

RECESS

On motion of Mr. Bell, the House, at 12:50 o'clock p. m., took recess until 3:00 o'clock p. m. today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m. and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

Mr. Anderson and Mr. Dwyer were granted leaves of absence for this afternoon on account of important business, on motion of Mr. Nicholson.

NOTICE GIVEN

Mr. Hughes gave notice that he would on the next legislative day move to take up for consideration at that time House Bill No. 627, which bill was heretofore laid on the table subject to call.

HOUSE BILL NO. 853 ON PAS- SAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, House Bill No. 853, to amend certain Act relative to the granting by the Railroad Commission certain certificates of public convenience and necessity

for the operation of motor vehicles, etc., on its passage to engrossment.

The bill having heretofore been read second time with motion by Mr. Alsup to recommit the bill to the Committee on State Affairs and motion by Mr. Morris to table the motion to recommit, pending.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—67

Allen	Lehman
Avant	Leyendecker
Bell	Lock
Benton	McCann
Blankenship	McDonald
Bundy	McGlasson
Burnaman	McMurry
Carlton	Markle
Celaya	Matthews
Cleveland	Montgomery
Colson, Mrs.	Moore
Connelly	Morris
Craig	Nicholson
Crosthwait	Pace
Daniel	Pevehouse
Davis	Phillips
Duckett	Reed of Bowie
Ellis	Reed of Dallas
Ferguson	Rhodes
Files	Roark
Fitzgerald	Roberts
Fuchs	Sallas
Hargis	Simpson
Hartzog	Skiles
Heflin	Spangler
Helpinstill	Stanford
Henderson	Stinson
Howard	Stubbs
Hutchinson	Taylor
Jones	Thornton
Kennedy	Turner
Kinard	Voigt
Klingeman	Weatherford
Knight	

Nays—60

Allison	Bullock
Alsup	Burkett
Bailey	Carrington
Baker	Cato
Bean	Coker
Boone	Crossley
Bray	Deen
Bridgers	Dickson of Bexar
Bruhl	Donald

Eubank	Love	Craig	McGlasson
Evans	Lowry	Crossley	McMurry
Favors	Lucas	Crosthwait	Markle
Halsey	Lyle	Daniel	Matthews
Hanna	McLellan	Davis	Montgomery
Hardeman	Manford	Dickson of Bexar	Moore
Harris of Dallas	Manning	Dove	Morris
Hileman	Martin	Duckett	Nicholson
Hobbs	Mills	Ellis	Pace
Howington	Morse	Ferguson	Pevehouse
Hoyo	Murray	Files	Phillips
Huddleston	Parker	Fitzgerald	Price
Huffman	Rampy	Fuchs	Reed of Bowie
Hughes	Ridgeway	Hargis	Reed of Dallas
Humphrey	Senterfitt	Harris of Hill	Rhodes
Isaacks	Smith of Atascosa	Hartzog	Roark
Kelly	Spacek	Heflin	Roberts
Kersey	Vale	Helpinstill	Sallas
King	Walters	Henderson	Simpson
Lansberry	Wattner	Howard	Skiles
Little	Whitesides	Hutchinson	Smith of Bastrop
Present—Not Voting		Jones	Spacek
Gandy		Kennedy	Spangler
Absent		Kinard	Stanford
Browner	Harris of Hill	Klingeman	Stinson
Chambers	McAlister	Knight	Stubbs
Clark	Price	Lehman	Taylor
Dickson of Nolan	Sharpe	Leyendecker	Thornton
Dove	Shell	Lock	Turner
Garland	Smith of Bastrop	McCann	Voigt
Goodman	White	McDonald	Weatherford
Absent—Excused		Nays—59	
Anderson	McNamara	Allison	Huffman
Brown	Morgan	Alsup	Hughes
Dwyer	Winfree	Bailey	Humphrey
Gilmer		Baker	Isaacks
Mr. Kersey moved that House Bill No. 853 be recommitted to the Committee on Highways and Motor Traffic.		Bean	Kelly
Mr. Crosthwait moved to table the motion to recommit.		Bell	Kersey
Question recurring on the motion to table, yeas and nays were demanded.		Boone	King
The motion to table prevailed by the following vote:		Bray	Lansberry
Yeas—74		Bridgers	Little
Allen	Carlton	Bruhl	Love
Avant	Celaya	Bullock	Lowry
Benton	Clark	Burkett	Lucas
Blankenship	Cleveland	Carrington	Lyle
Bundy	Colson, Mrs.	Cato	McLellan
Burnaman	Connelly	Chambers	Manford
		Coker	Manning
		Deen	Martin
		Donald	Mills
		Eubank	Morse
		Evans	Murray
		Favors	Parker
		Halsey	Rampy
		Hanna	Ridgeway
		Hardeman	Senterfitt
		Harris of Dallas	Smith of Atascosa
		Hileman	Vale
		Hobbs	Walters
		Howington	Wattner
		Hoyo	Whitesides
		Huddleston	

Present—Not Voting

Gandy

Absent

Brawner	McAlister
Dickson of Nolan	Sharpe
Garland	Shell
Goodman	White

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

Mr. Lehman offered the following amendment to the bill:

Amend House Bill No. 853 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. That Chapter 314, General Laws of the State of Texas, 41st Legislature, Regular Session, as amended by Chapter 24 of the General Laws of the Second Called Session thereof, and as amended by Chapter 277 of the General Laws of the State of Texas, Regular Session, 42nd Legislature, being Article 911b, Revised Civil Statutes of the State of Texas, 1925, be, and the same is hereby amended by the addition of a section thereto to be known as Section 12(a) to read as follows:

"Subdivision (a). Upon the filing of a written application therefor by any railroad company operating in this State, its receivers or trustees, or by any company other than a railroad company, the majority of whose stock is owned by such railroad company, its receivers or trustees, or by any company other than a railroad company, the majority of whose stock is owned by a company which also owns the majority of the stock of a railroad company operating in this State, the Commission shall, after notice and hearing as hereinafter provided, grant a certificate of public convenience and necessity to any such applicant, to operate as a common carrier for the transportation of property for compensation or hire over the public highways of this State between cities and towns which are connected by or served by the railroad involved in the application.

Such certificate when issued shall authorize the applicant to serve all points on said route which are located on or served by the railroad company involved in the application.

"Subdivision (b). No application for such certificate of public convenience and necessity shall be considered by said Commission unless it be in writing and set forth the following facts:

"(1) It shall contain the name and address of the applicant and the names and addresses of its officers, and shall give full information concerning the financial condition and physical properties of the applicant, and if said application is filed by a company other than a railroad operating in the State of Texas it shall disclose the relationship between such company and the railroad on which is located the cities, towns and villages proposed to be served.

"(2) The complete route or routes over which applicant desires to operate and shall be accompanied by a plat or map showing such routes and the location of all points and places proposed to be served.

"(3) The description of the type of motor vehicles which the applicant proposes to use if said application is granted.

"(4) All the proposed service including the plan by which and the extent to which the motor vehicle service will be coordinated with the rail service.

"(5) A schedule of the rates to be charged when the Railroad Commission has not prescribed rates for the proposed service.

"Subdivision (c). Upon the filing of such application, the Commission shall fix a time and place for hearing, and the place of hearing shall be in the City of Austin, Texas, unless otherwise ordered by the Commission. Notice of the filing of said application and the time and place of hearing shall be given by mail not less than thirty (30) days, exclusive of the day of mailing, before such hearing, addressed to all common carriers, both rail and truck, their receivers or trustees, which serve the general territory involved in the application.

"Subdivision (d). In such hearing applicant shall present proof of

allegations in the application and of facts to show the following:

"(1) That the proposed operation will provide a service by which the service theretofore rendered by the railroad involved in the application to the cities, towns and villages located on or served by such railroad will be improved.

"(2) That the proposed operation will assist in the continued maintenance of depots or communication systems or transportation agents in said cities, towns or villages.

"After such hearing and consideration of facts presented to show the foregoing, the Commission shall issue the certificate if it be of the opinion that such operation will be in the public interest or advantageous and convenient to the public or the cities, towns and villages to be served.

"Subdivision (e). No certificate issued under this Act shall be sold, assigned or transferred by the holder thereof to any person, firm, corporation, association, partnership, trustee or receiver, other than the railroad company involved in the application, its receivers or trustees, or to a company, the majority of whose stock is owned by the railroad company involved in the application, or to a corporation, the majority of whose stock is owned by a company which also owns the majority of the stock of the railroad company involved in the application; provided, further, that any certificate obtained by such applicant or by any assignee or transferee hereinafter described shall be taken and held subject to the right of the State Legislature at any time to limit, restrict or forbid the use of the streets and highways of this State to any holder or owner of such certificate.

"Sec. 2. If any phrase, clause, sentence, or section hereof is declared unconstitutional, such decision shall not affect the remaining portions hereof.

"Sec. 3. All laws or parts of laws in conflict herewith are hereby expressly repealed.

"Sec. 4. The fact that there is no practical way by which the shipping public of this State may have available and for its use and service a system of transportation by the

coordination of rail and motor vehicle and the fact that the railroads of this State are unable to provide the service which the public demands results in a diminution of rail service to the detriment of the public creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule relating to the reading of bills on three several days in each House, and the Constitutional Rule providing that a bill may not become effective until ninety (90) days after adjournment of the session, and such Rules are hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(Mr. Blankenship in the Chair.)

Mr. Lansberry moved that House Bill No. 853 be laid on the table subject to call.

Mr. Lehman moved to table the motion by Mr. Lansberry.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—70

Allen	Helpinstill
Avant	Henderson
Benton	Howard
Brawner	Hutchinson
Bundy	Jones
Burnaman	Kennedy
Carlton	Kinard
Celaya	Klingeman
Cleveland	Knight
Colson, Mrs.	Lehman
Connelly	Leyendecker
Craig	Lock
Crosthwait	McAlister
Daniel	McCann
Davis	McDonald
Dickson of Bexar	McGlasson
Duckett	McMurry
Ellis	Markle
Ferguson	Matthews
Files	Montgomery
Fitzgerald	Moore
Fuchs	Morris
Hargis	Nicholson
Harris of Hill	Pace
Hartzog	Pevehouse
Heflin	Phillips

Price	Smith of Bastrop
Reed of Bowie	Spacek
Reed of Dallas	Spangler
Rhodes	Stanford
Roark	Stinson
Roberts	Stubbs
Sallas	Turner
Simpson	Voigt
Skiles	Weatherford

Nays—62

Allison	Huffman
Alsup	Hughes
Bailey	Humphrey
Baker	Isaacks
Bean	Kelly
Bell	Kersey
Boone	King
Bray	Lansberry
Bridgers	Little
Bruhl	Love
Bullock	Lowry
Burkett	Lucas
Carrington	Lyle
Cato	McLellan
Chambers	Manford
Coker	Manning
Crossley	Martin
Donald	Mills
Eubank	Morse
Evans	Murray
Favors	Parker
Gandy	Rampy
Halsey	Ridgeway
Hanna	Senterfitt
Hardeman	Smith of Atascosa
Harris of Dallas	Taylor
Hileman	Thornton
Hobbs	Vale
Howington	Walters
Hoyo	Wattner
Huddleston	Whitesides

Absent

Clark	Goodman
Deen	Sharpe
Dickson of Nolan	Shell
Dove	White
Garland	

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

Mr. Harris of Hill offered the following amendment to the amendment:

Amend amendment to House Bill

No. 853, page 2, Section 1, subdivision (d), paragraph 2, by inserting between the words "convenient" and "to" the following:

"and necessary"

Mr. Boone offered the following substitute for the amendment by Mr. Harris of Hill:

Amend the Lehman amendment to House Bill No. 853 by striking out subdivision (d) and inserting in lieu thereof the following:

"Subdivision (d). In such hearing applicant shall present proof of allegations in the application and of facts to establish the following:

"(1) That the proposed operation will provide a service by which the service theretofore rendered by the railroad involved in the application to the cities, towns and villages located on or served by such railroad will be improved.

"(2) That the proposed operation will assist in the continued maintenance of depots and communication systems and transportation agents in said cities, towns or villages.

"(3) That the proposed service is required by the public convenience and necessity and that the service of the existing carriers is not reasonably adequate to meet the needs of the public.

"After such hearing and consideration of facts presented to show the foregoing or other pertinent matters the Commission shall issue the certificate if it finds that such proposed service is required by the public convenience and necessity, and will be in the public interest and advantageous to the public and the cities, towns and villages to be served."

BOONE,
LITTLE.

(Speaker in the Chair.)

Mr. Morris moved to table the substitute amendment by Mr. Boone.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—60

Allen	Lock
Avant	McAlister
Bell	McCann
Blankenship	McDonald
Brawner	McGlasson
Celaya	Markle
Clark	Matthews
Cleveland	Montgomery
Colson, Mrs.	Moore
Crosthwait	Morris
Daniel	Nicholson
Dickson of Bexar	Pace
Dove	Pevehouse
Ellis	Price
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Rhodes
Fuchs	Roark
Hargis	Roberts
Harris of Hill	Sallas
Heflin	Skiles
Helpinstill	Smith of Bastrop
Henderson	Spacek
Howard	Spangler
Hutchinson	Stanford
Jones	Stinson
Kennedy	Stubbs
Kinard	Taylor
Knight	Turner
Lehman	Weatherford
Leyendecker	

Nays—72

Allison	Halsey
Alsup	Hanna
Bailey	Hardeman
Baker	Harris of Dallas
Bean	Hileman
Benton	Hobbs
Boone	Howington
Bray	Hoyo
Bridgers	Huddleston
Bruhl	Huffman
Bullock	Hughes
Burkett	Humphrey
Burnaman	Isaacks
Carlton	Kelly
Carrington	Kersey
Cato	King
Chambers	Klingeman
Coker	Lansberry
Connelly	Little
Craig	Love
Crossley	Lowry
Davis	Lucas
Deen	Lyle
Donald	McLellan
Duckett	McMurry
Eubank	Manford
Evans	Manning
Favors	Martin

Mills	Simpson
Morse	Smith of Atascosa
Murray	Thornton
Parker	Vale
Phillips	Voigt
Rampy	Walters
Ridgeway	Wattner
Senterfitt	Whitesides

Absent

Bundy	Hartzog
Dickson of Nolan	Sharpe
Gandy	Shell
Garland	White
Goodman	

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

Question then recurring on the substitute amendment by Mr. Boone, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

Yeas—74

Allison	Harris of Dallas
Alsup	Harris of Hill
Bailey	Hileman
Baker	Hobbs
Bean	Howington
Benton	Hoyo
Boone	Huddleston
Bray	Huffman
Bridgers	Hughes
Bruhl	Humphrey
Bullock	Isaacks
Burkett	Kelly
Burnaman	Kersey
Carlton	King
Carrington	Klingeman
Cato	Lansberry
Chambers	Little
Coker	Love
Connelly	Lowry
Craig	Lucas
Crossley	Lyle
Davis	McCann
Deen	McLellan
Donald	McMurry
Duckett	Manford
Eubank	Manning
Evans	Martin
Favors	Mills
Halsey	Morse
Hanna	Murray
Hardeman	Parker

Phillips	Spacek
Rampy	Thornton
Ridgeway	Vale
Senterfitt	Walters
Simpson	Wattner
Smith of Atascosa	Whitesides

Nays—58

Allen	Lock
Avant	McAlister
Bell	McDonald
Blankenship	McGlasson
Brawner	Markle
Celaya	Matthews
Cleveland	Montgomery
Colson, Mrs.	Moore
Crosthwait	Morris
Daniel	Nicholson
Dickson of Bexar	Pace
Ellis	Pevehouse
Ferguson	Price
Files	Reed of Bowie
Fitzgerald	Reed of Dallas
Fuchs	Rhodes
Hargis	Roark
Hartzog	Roberts
Hefin	Sallas
Helpinstill	Skiles
Henderson	Smith of Bastrop
Howard	Spangler
Hutchinson	Stanford
Jones	Stinson
Kennedy	Stubbs
Kinard	Taylor
Knight	Turner
Lehman	Voigt
Leyendecker	Weatherford

Absent

Bundy	Garland
Clark	Goodman
Dickson of Nolan	Sharpe
Dove	Shell
Gandy	White

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfrey
Gilmer	

Mr. Little moved to reconsider the vote by which the substitute amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Question then recurring on the amendment by Mr. Harris of Hill, as substituted, it was adopted.

Mr. Alsup moved to reconsider the

vote by which the amendment, as substituted was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Hardeman offered the following amendment to the amendment:

Amend substitute House Bill No. 853 by striking out all of Section 3, and substituting in lieu thereof, the following:

"Section 3, In addition to complying with the forgoing provisions, applicants under Subdivision (a) above shall also comply with all the other laws and rules and regulations applicable to railroad corporations and motor carriers of property for hire."

Mr. Isaacks offered the following substitute for the amendment by Mr. Hardeman:

Amend House Bill No. 853 by striking out all of page 2, 3 and lines 1 to 26 of page 4, the same being Section 1 of said bill, and insert in lieu thereof the following:

Section 1. Any railroad company operating in this State is authorized to transport property, goods, wares, merchandise, mail, and any valuable thing by highway to the same extent, subject to the same rules and regulations, and in the same manner as like business is conducted by other than railroad companies after, but not until, such railroad company shall have secured a certificate of convenience and necessity from the Railroad Commission of Texas under the provisions of Article 911A or 911B, Revised Civil Statutes of 1925, as amended.

ISAACKS,
HARRIS of Dallas.

Mr. Kersey raised a point of order on further consideration of the substitute amendment by Mr. Isaacks at this time, on the ground that the amendment seeks to strike out that section of the amendment heretofore adopted by the House.

The Speaker sustained the point of order.

Mr. Lehman moved the previous question on the pending amendments and the engrossment of House Bill No. 853, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—58

Allen	Kennedy
Avant	Kinard
Bell	Klingeman
Blankenship	Knight
Brawner	Lehman
Bundy	Leyendecker
Celaya	Lock
Clark	McAlister
Cleveland	McCann
Colson, Mrs.	McDonald
Craig	McGlasson
Crossley	McMurry
Crosthwait	Markle
Davis	Montgomery
Dickson of Bexar	Moore
Ellis	Morris
Files	Pevehouse
Fitzgerald	Reed of Bowie
Fuchs	Rhodes
Hargis	Roark
Harris of Hill	Roberts
Hartzog	Sallas
Heflin	Simpson
Helpinstill	Spangler
Henderson	Stinson
Howard	Stubbs
Hutchinson	Turner
Jones	Weatherford
Kelly	White

Nays—72

Allison	Evans
Alsup	Favors
Bailey	Ferguson
Baker	Gandy
Bean	Halsey
Benton	Hanna
Boone	Hardeman
Bray	Harris of Dallas
Bridgers	Hileman
Bruhl	Hobbs
Bullock	Howington
Burkett	Hoyo
Carlton	Huddleston
Carrington	Hughes
Cato	Humphrey
Coker	Isaacks
Connelly	Kersey
Daniel	King
Deen	Lansberry
Donald	Little
Dove	Love
Duckett	Lowry
Eubank	Lucas

Lyle	Ridgeway
McLellan	Senterfitt
Manford	Skiles
Manning	Smith of Bastrop
Martin	Smith of Atascosa
Matthews	Spacek
Mills	Taylor
Morse	Thornton
Murray	Vale
Nicholson	Voigt
Pace	Walters
Parker	Wattner
Price	Whitesides

Present—Not Voting

Phillips

Absent

Burnaman	Rampy
Chambers	Reed of Dallas
Dickson of Nolan	Sharpe
Garland	Shell
Goodman	Stanford
Huffman	

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

Mr. Nicholson moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Lyle moved that the House recess until 7:30 o'clock p. m., today.

Question first recurring on the motion to adjourn, it was lost.

Question then recurring on the motion to recess until 7:30 o'clock p. m. today, it was lost.

Mr. Love moved that House Bill No. 853 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—49

Allison	Bullock
Alsup	Bundy
Bailey	Burkett
Baker	Carrington
Bean	Cato
Boone	Chambers
Bridgers	Deen

Donald	Little
Eubank	Love
Evans	Lowry
Favors	Lucas
Gandy	Manford
Halsey	Manning
Hanna	Martin
Hardeman	Mills
Harris of Dallas	Morse
Hileman	Murray
Hobbs	Parker
Howington	Ridgeway
Hoyo	Senterfitt
Huddleston	Smith of Atascosa
Hughes	Walters
Isaacks	Wattner
Kersey	Whitesides
Lansberry	

Nays—76

Allen	Knight
Avant	Lehman
Bell	Leyendecker
Benton	Lock
Blankenship	Lyle
Brawner	McCann
Bray	McDonald
Carlton	McGlasson
Clark	McLellan
Cleveland	McMurry
Colson, Mrs.	Markle
Connelly	Matthews
Craig	Montgomery
Crossley	Moore
Crosthwait	Morris
Daniel	Nicholson
Davis	Pace
Dickson of Bexar	Pevehouse
Dove	Phillips
Duckett	Price
Ellis	Reed of Bowie
Ferguson	Reed of Dallas
Files	Rhodes
Fitzgerald	Roark
Fuchs	Roberts
Harris of Hill	Sallas
Hartzog	Simpson
Heflin	Smith of Bastrop
Helpinstill	Spacek
Henderson	Spangler
Howard	Stinson
Humphrey	Stubbs
Hutchinson	Taylor
Jones	Thornton
Kelly	Turner
Kennedy	Vale
Kinard	Weatherford
Klingeman	White

Present—Not Voting

King

Absent

Bruhl	Huffman
Burnaman	McAlister
Celaya	Rampy
Coker	Sharpe
Dickson of Nolan	Shell
Garland	Skiles
Goodman	Stanford
Hargis	Voigt

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

Mr. Lehman moved to table the amendment by Mr. Hardeman.

The motion to table prevailed.

Mr. Kersey offered the following amendment to the bill:

"Amend House Bill No. 853, by striking out the enacting clause."

Mr. Lehman moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—75

Allen	Fuchs
Avant	Hargis
Bell	Harris of Hill
Blankenship	Hartzog
Brawner	Heflin
Bray	Helpinstill
Bundy	Henderson
Carlton	Howard
Celaya	Huffman
Clark	Hutchinson
Cleveland	Jones
Colson, Mrs.	Kelly
Connelly	Kennedy
Craig	Kinard
Crossley	Klingeman
Crosthwait	Knight
Daniel	Lehman
Davis	Leyendecker
Dickson of Bexar	Lock
Dove	McAlister
Duckett	McDonald
Ellis	McGlasson
Ferguson	McLellan
Files	McMurry
Fitzgerald	Markle

Matthews	Sallas
Montgomery	Simpson
Moore	Smith of Bastrop
Morris	Spacek
Nicholson	Spangler
Pace	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Thornton
Reed of Bowie	Turner
Reed of Dallas	Voigt
Roark	Weatherford
Roberts	

Nays—56

Allison	Huddleston
Alsup	Hughes
Bailey	Humphrey
Baker	Isaacks
Bean	Kersey
Benton	King
Boone	Lansberry
Bridgers	Little
Bullock	Love
Burkett	Lowry
Carrington	Lucas
Cato	Lyle
Chambers	McCann
Coker	Manford
Deen	Manning
Donald	Martin
Eubank	Mills
Evans	Morse
Favors	Murray
Gandy	Parker
Halsey	Rampy
Hanna	Ridgeway
Hardeman	Senterfitt
Harris of Dallas	Skiles
Hileman	Smith of Atascosa
Hobbs	Walters
Howington	Wattner
Hoyo	Whitesides

Absent

Bruhl	Sharpe
Burnaman	Shell
Dickson of Nolan	Stanford
Garland	Vale
Goodman	White
Rhodes	

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

Mr. Isaacks moved that the House adjourn until 10:00 a. m. tomorrow.

Mr. Lansberry moved that the

House recess until 7:30 o'clock p. m. today.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—56

Bailey	Huffman
Baker	Hughes
Bell	Hutchinson
Benton	Isaacks
Brawner	Kelly
Bray	King
Bruhl	Little
Bullock	Lucas
Bundy	McCann
Burnaman	McLellan
Chambers	Manford
Connelly	Manning
Craig	Martin
Deen	Mills
Donald	Morse
Dove	Murray
Duckett	Nicholson
Evans	Pevehouse
Favors	Rampy
Ferguson	Sallas
Gandy	Smith of Bastrop
Hanna	Smith of Atascosa
Hardeman	Spacek
Harris of Dallas	Spangler
Hileman	Stinson
Howington	Vale
Hoyo	Voigt
Huddleston	Whitesides

Nays—77

Allen	Files
Allison	Fitzgerald
Alsup	Fuchs
Avant	Halsey
Bean	Hargis
Boone	Harris of Hill
Burkett	Hartzog
Carlton	Heflin
Carrington	Helpinstill
Cato	Henderson
Celaya	Hobbs
Clark	Howard
Cleveland	Humphrey
Coker	Jones
Colson, Mrs.	Kennedy
Crossley	Kersey
Crosthwait	Klingeman
Daniel	Knight
Davis	Lansberry
Dickson of Bexar	Lehman
Ellis	Leyendecker
Eubank	Lock

Love	Reed of Dallas
Lowry	Ridgeway
Lyle	Rhodes
McAlister	Roark
McDonald	Roberts
McGlasson	Senterfitt
McMurry	Simpson
Markle	Skiles
Matthews	Stubbs
Montgomery	Taylor
Moore	Thornton
Morris	Turner
Pace	Walters
Parker	Wattner
Phillips	White
Price	Weatherford
Reed of Bowie	

Absent

Blankenship	Kinard
Bridgers	Sharpe
Dickson of Nolan	Shell
Garland	Stanford
Goodman	

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

Question next recurring on the motion to recess until 7:30 o'clock p. m. today, it was lost.

Mr. Morris moved the previous question on the pending amendment and the engrossment of House Bill No. 853, and the main question was ordered.

Mr. Lehman moved to reconsider the vote by which the previous question was ordered and to table the motion to reconsider.

The motion to table prevailed.

Question recurring on the amendment by Mr. Lehman, as amended, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—99

Allen	Boone
Allison	Brawner
Alsup	Bray
Avant	Burnaman
Bell	Carlton
Benton	Cato
Blankenship	Celaya

Chambers	McAlister
Clark	McCann
Coker	McDonald
Colson, Mrs.	McGlasson
Connelly	McMurry
Craig	Manning
Crossley	Markle
Crosthwait	Martin
Davis	Matthews
Dickson of Bexar	Montgomery
Donald	Moore
Dove	Morris
Duckett	Morse
Ellis	Murray
Evans	Nicholson
Ferguson	Pace
Files	Parker
Fitzgerald	Pevehouse
Fuchs	Phillips
Hanna	Price
Hargis	Reed of Bowie
Harris of Hill	Reed of Dallas
Hartzog	Ridgeway
Heflin	Roark
Helpinstill	Roberts
Henderson	Rhodes
Hobbs	Sallas
Howard	Senterfitt
Howington	Simpson
Huffman	Smith of Bastrop
Humphrey	Spacek
Jones	Spangler
Kelly	Stinson
Kennedy	Stubbs
Kinard	Taylor
Klingeman	Thornton
Knight	Turner
Lehman	Vale
Leyendecker	Voigt
Lock	Wattner
Lowry	Weatherford
Lucas	White
Lyle	

Nays—34

Bailey	Huddleston
Baker	Hughes
Bean	Hutchinson
Bridgers	Isaacks
Bullock	Kersey
Bundy	King
Burkett	Lansberry
Carrington	Little
Daniel	Love
Deen	McLellan
Eubank	Manford
Favors	Mills
Halsey	Rampy
Hardeman	Skiles
Harris of Dallas	Smith of Atascosa
Hileman	Walters
Hoyo	Whitesides

Absent

Bruhl	Goodman
Cleveland	Sharpe
Dickson of Nolan	Shell
Gandy	Stanford
Garland	

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Question recurring on the engrossment of House Bill No. 853, yeas and nays were demanded.

House Bill No. 853 was then passed to engrossment by the following vote:

Yeas—79

Allen	Howard
Avant	Huffman
Bell	Jones
Benton	Kelly
Blankenship	Kennedy
Brawner	Kinard
Bruhl	Klingeman
Burnaman	Knight
Carlton	Lehman
Celaya	Leyendecker
Chambers	Lock
Clark	Lyle
Cleveland	McAlister
Colson, Mrs.	McCann
Connelly	McDonald
Craig	McGlasson
Crossley	McMurry
Crosthwait	Markle
Davis	Matthews
Dickson of Bexar	Montgomery
Dove	Moore
Duckett	Morris
Ellis	Murray
Ferguson	Nicholson
Files	Pace
Fitzgerald	Pevehouse
Fuchs	Phillips
Hargis	Price
Harris of Hill	Reed of Dallas
Hartzog	Roark
Heflin	Roberts
Helpinstill	Rhodes
Henderson	Sallas

Simpson	Thornton
Smith of Bastrop	Turner
Spacek	Vale
Spangler	Voigt
Stinson	Weatherford
Stubbs	White
Taylor	

Nays—55

Allison	Huddleston
Alsup	Hughes
Bailey	Humphrey
Baker	Hutchinson
Bean	Isaacks
Boone	Kersey
Bray	King
Bridgers	Lansberry
Bullock	Little
Bundy	Love
Burkett	Lowry
Carrington	Lucas
Cato	McLellan
Coker	Manford
Daniel	Manning
Deen	Martin
Donald	Mills
Eubank	Morse
Evans	Parker
Favors	Rampy
Halsey	Ridgeway
Hanna	Senterfitt
Hardeman	Skiles
Harris of Dallas	Smith of Atascosa
Hileman	Walters
Hobbs	Wattner
Howington	Whitesides
Hoyo	

Present—Not Voting

Reed of Bowie

Absent

Dickson of Nolan	Sharpe
Gandy	Shell
Garland	Stanford
Goodman	

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

Mr. Lehman moved to reconsider the vote by which House Bill No. 853 was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

**MOTION TO PLACE HOUSE BILL
NO. 853 ON THIRD
READING**

Mr. Lehman moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 853 be placed on its third reading and final passage.

The motion was lost by the following vote, (not receiving the necessary four-fifths vote):

Yeas—77

Allen	Kinard
Avant	Klingeman
Bell	Knight
Benton	Lehman
Blankenship	Leyendecker
Brawner	Lock
Bruhl	McAlister
Bundy	McCann
Burnaman	McDonald
Carlton	McGlasson
Celaya	McMurry
Chambers	Markle
Clark	Matthews
Cleveland	Montgomery
Coker	Moore
Colson, Mrs.	Morris
Connelly	Nicholson
Craig	Pace
Crosthwait	Pevehouse
Davis	Phillips
Dickson of Bexar	Price
Dove	Reed of Bowie
Duckett	Reed of Dallas
Ellis	Rhodes
Ferguson	Roark
Files	Roberts
Fitzgerald	Sallas
Fuchs	Simpson
Hargis	Spacek
Harris of Hill	Spangler
Hartzog	Stinson
Heflin	Stubbs
Helpinstill	Taylor
Henderson	Thornton
Howard	Turner
Huffman	Voigt
Jones	Weatherford
Kelly	White
Kennedy	

Nays—57

Allison	Bray
Alsup	Bridgers
Bailey	Bullock
Baker	Burkett
Bean	Carrington
Boone	Cato

Daniel	Love
Deen	Lowry
Donald	Lucas
Eubank	Lyle
Evans	McLellan
Favors	Manford
Halsey	Manning
Hanna	Martin
Hardeman	Mills
Harris of Dallas	Morse
Hileman	Murray
Hobbs	Parker
Howington	Rampy
Hoyo	Ridgeway
Huddleston	Senterfitt
Hughes	Skiles
Humphrey	Smith of Bastrop
Hutchinson	Smith of Atascosa
Isaacks	Vale
Kersey	Walters
King	Wattner
Lansberry	Whitesides
Little	

Absent

Crossley	Goodman
Dickson of Nolan	Sharpe
Gandy	Shell
Garland	Stanford

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

RELATIVE TO SUSPENSION DAY

Mr. Taylor moved that tomorrow, May 13, be set aside for Suspension Day.

The motion was lost by the following vote:

Yeas—66

Baker	Dove
Bell	Favors
Benton	Files
Boone	Fitzgerald
Bridgers	Fuchs
Bruhl	Hargis
Bundy	Harris of Hill
Burkett	Hartzog
Carrington	Heflin
Celaya	Helpinstill
Chambers	Henderson
Clark	Hoyo
Cleveland	Huddleston
Colson, Mrs.	Humphrey
Connelly	Hutchinson
Crossley	Isaacks
Daniel	Jones

Kinard	Reed of Dallas
King	Roark
Lansberry	Roberts
Lehman	Sallas
Lock	Shell
Love	Simpson
McAlister	Skiles
McCann	Smith of Bastrop
McMurry	Spacek
Manford	Spangler
Matthews	Stubbs
Montgomery	Taylor
Moore	Thornton
Pace	Turner
Price	Wattner
Reed of Bowie	White

Nays—68

Allen	Kelly
Allison	Kennedy
Alsup	Kersey
Avant	Klingeman
Bailey	Knight
Bean	Leyendecker
Blankenship	Little
Brawner	Lowry
Bray	Lucas
Bullock	Lyle
Carlton	McDonald
Cato	McGlasson
Coker	McLellan
Craig	Manning
Crosthwait	Markle
Davis	Martin
Dickson of Bexar	Mills
Donald	Morris
Duckett	Morse
Ellis	Murray
Eubank	Nicholson
Evans	Parker
Ferguson	Pevehouse
Gandy	Phillips
Halsey	Rampy
Hanna	Ridgeway
Hardeman	Rhodes
Harris of Dallas	Senterfitt
Hileman	Smith of Atascosa
Hobbs	Stinson
Howard	Vale
Howington	Walters
Huffman	Weatherford
Hughes	Whitesides

Absent

Burnaman	Goodman
Deen	Sharpe
Dickson of Nolan	Stanford
Garland	Voigt

Absent—Excused

Anderson	Dwyer
Brown	Gilmer

McNamara	Winfree
Morgan	

Mr. Harris of Hill moved that tomorrow, May 13, be set aside for Suspension Day.

The motion was lost by the following vote:

Yeas—60

Avant	Humphrey
Baker	Hutchinson
Bell	Isaacks
Boone	Kinard
Bridgers	King
Bruhl	Lehman
Bullock	Leyendecker
Bundy	McAlister
Burkett	McCann
Carrington	McMurry
Celaya	Manford
Chambers	Matthews
Clark	Montgomery
Cleveland	Moore
Connelly	Pace
Crossley	Price
Daniel	Reed of Bowie
Deen	Reed of Dallas
Dove	Roark
Files	Roberts
Fuchs	Sallas
Hanna	Simpson
Hargis	Smith of Bastrop
Harris of Hill	Spangler
Hartzog	Stubbs
Henderson	Thornton
Hileman	Turner
Hoyo	Wattner
Huddleston	Weatherford
Huffman	White

Nays—70

Allen	Eubank
Allison	Evans
Alsup	Ferguson
Bailey	Fitzgerald
Bean	Halsey
Benton	Hardeman
Blankenship	Harris of Dallas
Brawner	Heflin
Bray	Helpinstill
Burnaman	Hobbs
Carlton	Howard
Cato	Howington
Coker	Hughes
Craig	Jones
Crosthwait	Kelly
Davis	Kennedy
Dickson of Bexar	Kersey
Donald	Klingeman
Duckett	Knight
Ellis	Lansberry

Little	Nicholson
Lock	Parker
Love	Pevehouse
Lowry	Phillips
Lucas	Rampy
Lyle	Ridgeway
McGlasson	Rhodes
McLellan	Senterfitt
Manning	Skiles
Markle	Smith of Atascosa
Martin	Spacek
Mills	Stinson
Morris	Vale
Morse	Voigt
Murray	Whitesides

Absent

Colson, Mrs.	McDonald
Dickson of Nolan	Sharpe
Favors	Shell
Gandy	Stanford
Garland	Taylor
Goodman	Walters

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

MOTION TO SET HOUSE BILL
NO. 79 FOR SPECIAL
ORDER

Mr. McMurry moved that House Bill No. 79 be set for special order at 11:00 o'clock a. m., tomorrow.

The motion was lost by the following vote:

Yeas—60

Allen	Hargis
Avant	Harris of Hill
Bean	Heflin
Bell	Helpinstill
Blankenship	Howard
Bray	Hoyo
Burkett	Humphrey
Carrington	Jones
Craig	Kennedy
Crosthwait	Kinard
Daniel	Leyendecker
Davis	Lock
Dickson of Bexar	Lowry
Ellis	Lyle
Eubank	McCann
Favors	McDonald
Ferguson	McLellan
Files	McMurry
Halsey	Manford
Hanna	Manning
Hardeman	Markle

Martin	Skiles
Mills	Smith of Atascosa
Morris	Spacek
Morse	Stinson
Nicholson	Taylor
Parker	Thornton
Price	Vale
Roark	Wattner
Senterfitt	Whitesides

Nays—67

Allison	Hughes
Alsup	Hutchinson
Bailey	Isaacks
Baker	Kersey
Benton	King
Boone	Klingeman
Brawner	Knight
Bridgers	Lansberry
Bruhl	Lehman
Bullock	Little
Bundy	Love
Burnaman	Lucas
Carlton	McAlister
Cato	McGlasson
Chambers	Matthews
Clark	Montgomery
Cleveland	Moore
Coker	Murray
Connelly	Pace
Crossley	Phillips
Deen	Rampy
Donald	Reed of Bowie
Dove	Rhodes
Duckett	Roberts
Evans	Sallas
Fitzgerald	Simpson
Fuchs	Smith of Bastrop
Harris of Dallas	Spangler
Henderson	Stubbs
Hileman	Turner
Hobbs	Voigt
Howington	Walters
Huddleston	Weatherford
Huffman	

Absent

Celaya	Pevehouse
Colson, Mrs.	Reed of Dallas
Dickson of Nolan	Ridgeway
Gandy	Sharpe
Garland	Shell
Goodman	Stanford
Hartzog	White
Kelly	

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

MOTION TO SET HOUSE BILL NO. 275 FOR SPECIAL ORDER

Mr. Bean moved that House Bill No. 275 be set for special order at 11:00 o'clock a. m., tomorrow.

The motion was lost by the following vote:

Yeas—62

Allen	Isaacks
Avant	Kennedy
Bailey	Kersey
Baker	Kinard
Bean	King
Bell	Lansberry
Benton	Little
Boone	Lock
Bridgers	Love
Bullock	Lowry
Burkett	Lyle
Burnaman	McAlister
Carlton	McCann
Carrington	McLellan
Coker	Markle
Connelly	Martin
Craig	Matthews
Crossley	Mills
Daniel	Moore
Davis	Morris
Dickson of Bexar	Morse
Evans	Nicholson
Favors	Reed of Bowie
Files	Ridgeway
Halsey	Roark
Hardeman	Simpson
Hartzog	Smith of Bastrop
Heflin	Stinson
Helpinstill	Taylor
Hoyo	Vale
Huffman	Wattner

Nays—66

Allison	Fuchs
Alsup	Hanna
Blankenship	Hargis
Brawner	Harris of Dallas
Bray	Harris of Hill
Bruhl	Henderson
Bundy	Hileman
Cato	Hobbs
Chambers	Howard
Clark	Howington
Cleveland	Huddleston
Colson, Mrs.	Hughes
Crosthwait	Humphrey
Deen	Hutchinson
Dove	Jones
Duckett	Kelly
Ellis	Klingeman
Eubank	Knight
Fitzgerald	Lehman

Leyendecker	Reed of Dallas
Lucas	Rhodes
McDonald	Roberts
McGlasson	Sallas
McMurry	Senterfitt
Manford	Skiles
Manning	Spacek
Montgomery	Spangler
Murray	Thornton
Pace	Turner
Parker	Voigt
Phillips	Walters
Price	Weatherford
Rampy	Whitesides

Absent

Celaya	Pevehouse
Dickson of Nolan	Sharpe
Donald	Shell
Ferguson	Smith of Atascosa
Gandy	Stanford
Garland	Stubbs
Goodman	White

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

SPECIAL ORDER SET

Mr. Cato moved that House Bill No. 268 be set for special order at 11:00 o'clock a. m., tomorrow.

The roll of the House was called and the vote announced, as follows: Yes, 86; nays, 42.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called and the verified vote resulted as follows:

Yeas—86

Allen	Celaya
Allison	Chambers
Avant	Colson, Mrs.
Bailey	Connelly
Baker	Crossley
Bean	Daniel
Bell	Davis
Blankenship	Deen
Boone	Dickson of Bexar
Bray	Donald
Bridgers	Dove
Burkett	Duckett
Burnaman	Eubank
Carrington	Evans
Cato	Ferguson

Files	McDonald
Fuchs	McLellan
Halsey	Manning
Hargis	Markle
Harris of Hill	Martin
Hartzog	Matthews
Helpinstill	Mills
Hileman	Morse
Howard	Phillips
Howington	Price
Hoyo	Rampy
Huffman	Reed of Bowie
Hughes	Reed of Dallas
Humphrey	Ridgeway
Hutchinson	Roark
Isaacks	Sallas
Jones	Senterfitt
Kennedy	Simpson
Klingeman	Smith of Bastrop
Lansberry	Smith of Atascosa
Leyendecker	Spacek
Little	Spangler
Lock	Stinson
Love	Stubbs
Lowry	Taylor
Lucas	Wattner
Lyle	White
McCann	Whitesides

Nays—42

Alsup	Knight
Benton	Lehman
Bruhl	McAlister
Bullock	McGlasson
Bundy	McMurry
Carlton	Manford
Clark	Montgomery
Cleveland	Moore
Coker	Morris
Craig	Murray
Crosthwait	Nicholson
Ellis	Pace
Favors	Parker
Fitzgerald	Rhodes
Hanna	Roberts
Harris of Dallas	Skiles
Henderson	Thornton
Hobbs	Vale
Huddleston	Voigt
Kersey	Walters
King	Weatherford

Absent

Brawner	Kelly
Dickson of Nolan	Kinard
Gandy	Pevehouse
Garland	Sharpe
Goodman	Shell
Hardeman	Stanford
Heflin	Turner

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

The Speaker announced that the motion to set House Bill No. 268 for special order at 11:00 o'clock a. m., tomorrow prevailed.

RELATIVE TO CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 282

Mr. Carrington moved to suspend the Rules, for the purpose of making a motion to reconsider the vote by which the House adopted the Conference Committee report on Senate Bill No. 282.

The motion to suspend the Rules prevailed.

Mr. Carrington then moved that the House reconsider the vote by which the House adopted the Conference report on Senate Bill No. 282.

The motion to reconsider prevailed.

HOUSE BILL NO. 391 WITH SENATE AMENDMENTS

Mr. Reed of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 391, A bill to be entitled "An Act amending Chapter 100 of the Acts of the Forty-fourth Legislature, Regular Session, by adding thereto a section to be known as Section 33-A; providing that every sale or contract of sale of any security in violation of any provisions of Chapter 100 shall be voidable at the election of the purchaser; providing how the purchaser may recover at law, the time that such actions may be brought; and providing an exemption when the purchase price is a royalty or a mineral interest in land and such security is sold through an unregistered agent; providing the time when any existing cause of action not now barred may be brought; and by adding thereto a section to be known as Section

33-B, providing that no action shall be brought in any court for the recovery of any commission or compensation for the sale or purchase of securities unless plaintiff in such action shall prove that he is a licensed dealer or salesman under the provisions of this Act and that such securities were registered under the provisions of this Act, and providing certain exceptions thereto; and declaring an emergency."

On motion of Mr. Reed of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—117

Allen	Hargis
Allison	Harris of Dallas
Alsup	Harris of Hill
Avant	Heflin
Bailey	Helpinstill
Baker	Henderson
Bean	Hileman
Benton	Hobbs
Blankenship	Howard
Boone	Howington
Bray	Hoyo
Bridgers	Huddleston
Bruhl	Huffman
Bullock	Hughes
Bundy	Humphrey
Burnaman	Hutchinson
Carlton	Isaacks
Carrington	Jones
Cato	Kennedy
Chambers	Kersey
Clark	King
Cleveland	Klingeman
Coker	Knight
Colson, Mrs.	Lansberry
Connelly	Lehman
Craig	Little
Crossley	Lock
Crosthwait	Love
Daniel	Lowry
Davis	Lyle
Deen	McAlister
Dickson of Bexar	McCann
Donald	McDonald
Duckett	McGlasson
Ellis	McLellan
Eubank	McMurry
Evans	Manford
Favors	Markle
Ferguson	Martin
Files	Matthews
Fitzgerald	Mills
Fuchs	Montgomery
Halsey	Moore
Hanna	Morris
Hardeman	Morse

Murray	Smith of Atascosa
Parker	Spacek
Phillips	Stinson
Price	Stubbs
Reed of Bowie	Taylor
Reed of Dallas	Thornton
Ridgeway	Vale
Rhodes	Voigt
Roark	Walters
Roberts	Wattner
Sallas	Weatherford
Senterfitt	White
Simpson	Whitesides
Skiles	

Absent

Bell	Lucas
Brawner	Manning
Burkett	Nicholson
Celaya	Pace
Dickson of Nolan	Pevehouse
Dove	Rampy
Gandy	Sharpe
Garland	Shell
Goodman	Smith of Bastrop
Hartzog	Spangler
Kelly	Stanford
Kinard	Turner
Leyendecker	

Absent—Excused

Anderson	McNamara
Brown	Morgan
Dwyer	Winfree
Gilmer	

MESSAGE FROM THE SENATE

Austin, Texas, May 12, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 283, A bill to be entitled "An Act amending Senate Bill No. 113, Chapter 309, Acts of the Regular Session of the 45th Legislature; declaring the Act to be severable; and declaring an emergency."

Adopted

S. C. R. No. 55, Relating to the observance of National Cotton Week.

The Senate grants the request of the House to return House Bill No. 361. (House Bill No. 361 attached.)

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST
READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 119, to the Committee on Counties.

S. B. No. 414, to the Committee on Liquor Traffic.

S. B. No. 455, to the Committee on School Districts.

S. B. No. 462, to the Committee on State Affairs.

S. B. No. 465, to the Committee on Appropriations.

S. B. No. 283, to the Committee on Education.

HOUSE BILLS ON FIRST
READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Roberts:

H. B. No. 1023, A bill to be entitled "An Act exempting Truscott Independent School District of Knox County from county supervision, providing for a separate depository; and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Crosthwait, Mr. Hanna, Mr. Stinson, Mr. Harris of Dallas, Mr. Reed of Dallas and Mr. Blankenship:

H. B. No. 1029, A bill to be entitled "An Act authorizing and empowering the Commissioners Court in counties having a population of more than three hundred and fifty thousand (350,000) and less than four hundred and fifty thousand (450,000) inhabitants, according to the last preceding Federal Census, to purchase fire trucks and other fire-fighting equipment for the protection and preservation of bridges, warehouses, shops, and other property located without the limits of any incorporated city or town; au-

thorizing and empowering the Commissioners Court to enter into contracts with any centrally located city in the county for the operation and maintenance of any such fire trucks and equipment; providing that the provisions of this Act are cumulative of all of the laws other than special laws; providing that in the event any section, subdivision, paragraph, sentence, or clause be held unconstitutional, that the remaining portions thereof shall be valid; and declaring an emergency."

Referred to the Committee on Counties.

Mr. Vale asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1024.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Vale:

H. B. No. 1024, A bill to be entitled "An Act amending Section 9-A, of Chapter 42, General Laws of the State of Texas, as amended by House Bill No. 796, Chapter 328, of the Regular Session of the Fortieth Legislature, by adding the words 'or reflector' after the words 'lighted flare' or 'such flare,' and 'such lighted flare' where these words appear in said Section of said Chapter; and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

Mr. Hardeman asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1025.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Hardeman:

H. B. No. 1025, A bill to be entitled "An Act amending Chapter 2 of the General Laws of the State of Texas, Fifth Called Session of the Forty-first Legislature, approved

March 14, 1930, by adding thereto Section 13, further defining the duties of members of the Commission to Aid the Supreme Court of Texas."

Referred to the Committee on Judiciary and Uniform State Laws.

Mr. Skiles asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1026.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Skiles:

H. B. No. 1026, A bill to be entitled "An Act conferring upon the Board of Regents of the Texas State Teachers Colleges the power of eminent domain to acquire land for the use of the colleges; exempting said Regents from depositing bond as provided in Section 2 of Article 3268, Revised Civil Statutes of Texas of 1925; and declaring an emergency."

Referred to the Committee on School Districts.

Mr. Isaacks asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1027.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Isaacks:

H. B. No. 1027, A bill to be entitled "An Act to amend Article 5073, Title 79, Revised Civil Statutes, providing that there shall be taxed as costs for attorney's fee one-half of the amount of the judgment rendered under said Article, and providing for a minimum amount of said attorney's fee costs."

Referred to the Committee on Judiciary and Uniform State Laws.

Mr. Lucas asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1028.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Lucas, Mr. Whitesides and Mr. Carrington:

H. B. No. 1028, A bill to be entitled "An Act to regulate 'Transportation Agents,' defining the terms 'person,' 'commission,' 'Transportation agent,' and 'license'; to require such transportation agents to have licenses, to furnish bond; providing for the issuance and cancellation of such licenses by the Railroad Commission of Texas; providing for the keeping of certain records, and for the inspection of said records, and the introduction of such records, or copies thereof, as evidence in certain trials; providing that the Railroad Commission of Texas may make reasonable rules and regulations applicable to all persons holding transportation agent's licenses; providing for hearings and for reviews of orders of the Railroad Commission; prescribing a fee for the issuance of a license; providing penalties for certain violations; and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

HOUSE JOINT RESOLUTION ON FIRST READING

Mr. McDonald asked unanimous consent to introduce at this time and have placed on first reading House Joint Resolution No. 39.

There was no objection.

The Speaker then laid the resolution before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. McDonald:

H. J. R. No. 39, Proposing the adoption of Section 17 of Article 7 of the Constitution allocating to the Agricultural and Mechanical College of Texas, after deducting the amount necessary to defray expenses of administration except those in connection with grazing leases, one-third of the income from the Permanent University Fund except income from grazing leases; providing that such revenue shall be used or

pledged for the sole purpose of acquiring permanent improvements for said College, authorizing the Board of Directors of said College to pledge said revenues to secure bonds or notes issued for such purpose or to refund bonds or notes issued for such purpose; authorizing the investment of the Permanent University Fund in bonds or notes secured by such pledge; making the provisions of this Section cumulative but to prevail in event of conflict with other provisions; providing for calling an election and making an appropriation to defray expenses thereof.

Referred to the Committee on Constitutional Amendments.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, and their captions had been read severally the following enrolled bills and resolutions:

S. C. R. No. 54, Providing for Joint Session of the Legislature to hear General Maximino Avila Camacho.

S. C. R. No. 53, Authorizing the loan of certain Highway Equipment.

S. C. R. No. 52, Recalling House Bill No. 903 from the Governor.

S. C. R. No. 49, Relative to Enforcement of Certain Regulatory Laws.

H. B. No. 833, "An Act amending Article 3943, Revised Civil Statutes of Texas, 1925, as amended by Chapter 230, Acts of the Fortieth Legislature Regular Session, as amended by Chapter 346, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 252, Acts of the Forty-fifth Legislature, Regular Session, providing for commissions to be paid to County Treasurers in various counties in Texas; providing for certain commissions and compensation to be paid to County Treasurers in certain counties in Texas; providing for the fixing of such commissions and compensation by the Commissioners Courts; providing that this Act shall be cumulative of the General Laws of this State on the subject of County Treasurers; when not in conflict

herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 914, "An Act to amend an Act of the Forty-fourth Legislature, creating a Special Road Law for Childress County, Texas, being Chapter 435, of the General and Special Laws passed by the Forty-fourth Legislature, at its Second Called Session in 1935, by adding thereto four new sections, authorizing Childress County to fund or refund the warrant indebtedness outstanding against its Road and Bridge Fund as of April 10, 1941, by the issuance of refunding bonds, and setting forth the method of operation; validating all acts of the Commissioners Court and of the county officials in authorizing, executing, and delivering said warrants; providing that this Law shall be cumulative of General Laws on the subject of roads and bridges and General Laws of funding or refunding bonds not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict herewith; and declaring an emergency."

H. C. R. No. 122, Authorizing the sale of certain real estate.

H. C. R. No. 111, Recalling House Bill No. 371 from the Governor.

H. C. R. No. 113, Relative to the extension of certain lease to the City of Austin.

H. C. R. No. 129, Authorizing certain corrections in House Bill No. 903.

H. C. R. No. 126, Authorizing certain corrections in House Bill No. 754.

ADJOURNMENT

Mr. Kersey moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. McAlister moved that the House recess until 7:45 o'clock p. m., today.

The motion to adjourn prevailed and the House accordingly at 6:35 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Judicial Districts: House Bill No. 1010.

School Districts: House Bills No. 1018, 1023 and 1026; Senate Bill No. 396.

Counties: House Bills Nos. 961 and 1020; Senate Bills Nos. 119 and 288.

State Affairs: House Bills Nos. 623, 909 and 981; Senate Bill No. 461.

Appropriations: House Bill No. 1011; Senate Bills Nos. 335 and 403.

Highways and Motor Traffic: House Bill No. 1024.

Education: House Bill No. 1021.

REPORTS OF THE COMMITTEE
ON ENROLLED BILLS

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 861, "An Act to amend Subdivision 106 of Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, so as to change the length of the terms of District Court and the time of holding the terms of District Court in Terry, Lynn, Garza, Dawson, Gaines, and Yoakum Counties, constituting the One Hundred and Sixth Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of Court in said Counties and District, as herein fixed; to validate the summoning of grand and petit juries under the present law so as to render them available in said counties under this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 859, "An Act making it unlawful to kill quail in Cherokee County except on certain days of the week during the period beginning December 1st and ending January 16th each year; fixing a bag limit; providing a penalty; defining what constitutes hunting; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 852, "An Act providing that in all counties in this State having a population of not less than six thousand, six hundred and fifty (6,650) nor more than seven thousand (7,000), according to the last preceding Federal Census, the County Commissioners shall receive an annual salary of One Thousand, Two Hundred Dollars (\$1,200), payable in twelve (12) equal monthly installments out of the General Fund of the county or the Road and Bridge Fund of the county; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 8, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 850, "An Act authorizing the Commissioners' Court in Wharton County to allow each County Commissioner certain expenses in connection with the performance of the duties as Road Commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 833, "An Act amending Article 3943, Revised Civil Statutes of Texas, 1925, as amended by Chapter 230, Acts of the Fortieth Legislature, Regular Session, as amended by Chapter 346, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 252, Acts of the Forty-fifth Legislature, Regular Session, providing for commissions to be paid to County Treasurers in various counties in Texas; providing for certain commissions and compensation to be paid to County Treasurers in certain counties in Texas; providing for the fixing of such commissions and compensation by the Commissioners Courts; providing that this Act shall be cumulative of the General Laws of this State on the subject of County Treasurers when not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 820, "An Act for the purpose of better conserving the marine fish resources of this State by placing a closed season on shrimp in the inland salt water of this State during the period of time from and between the 15th day of June and the 31st day of August and during the period of time from and between the 15th day of December and the 1st day of March of any year; making it lawful to possess shrimp taken from waters of this State or imported

from other States and making provisions for taking of such shrimp for bait in the tidal waters of this State and requiring a license for sale of same; making it the duty of the Game, Fish and Oyster Commission to classify and reclassify salt water fish and authorize the taking of non-game species subject to certain limitations and license; providing a penalty for violations of this Act; providing the seizing of tackle for evidence; repealing Section 1-D of Article 941 of the Penal Code and all laws conflicting herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 264, "An Act to amend Article 4733, Chapter 3, Title 78, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 747, "An Act amending House Bill No. 482, Acts of the Forty-sixth Legislature, to include Dimmit County in the provisions of said Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 728, "An Act authorizing Boards of Trustees in all independent school districts located in

any county having a population of more than forty-five thousand (45,000) inhabitants and which independent school district has an assessed valuation of not more than Seven Hundred and Seventy-five Thousand Dollars (\$775,000) and not less than Five Hundred and Fifty Thousand (\$550,000), to issue refunding warrants to bear interest at the rate of three (3) per centum per annum, for the purpose of paying salaries of employees of the schools; providing that the total amount of such warrants outstanding shall never exceed Five Thousand Dollars (\$5,000) at any given time; providing that such warrants shall be issued serially and paid in order; providing the manner of issuing such warrants and validating the same; providing for the levy of a tax by the Board of Trustees to pay the interest on and retire such warrants within a designated time; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 127, Granting permission for both Houses to adjourn from Thursday, May 8, to Monday, May 12.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 118, "An Act defining and regulating the sale and/or resale of used and/or secondhand watches in the State of Texas; defining terms used therein; specifying acts constituting offenses and providing penalties therefor; exempting pawnbrokers' auction sales of unredeemed pledges from the provisions

of the Act; providing that if any provision of this Act shall be held unconstitutional or invalid, the remainder shall not be affected thereby; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 613, "An Act to amend Senate Bill No. 297, passed by the Regular Session of the Forty-sixth Legislature relative to the execution by teachers and school employees of assignments of salaries or wages and providing that such assignments shall be valid and enforceable only in the event at the time of or prior to, the execution, delivery or acceptance thereof, consent to or approval of such assignment shall have been obtained from the employing officer or authority as herein designated; fixing the venue of suits brought to enforce such assignments; providing that nothing in this Act shall affect or repeal any part of Senate Bill No. 402, Acts of Regular Session of Thirty-eighth Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 585, "An Act making it unlawful to hunt, take, or kill any squirrel except during the months of October, November, and December in Nacogdoches and Cherokee Counties; providing for a penalty; repealing all conflicting laws; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 518, "An Act authorizing the Commissioners Courts in all counties having a population of not less than one hundred thousand (100,000) and not more than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, to determine the maximum annual salary to be paid an officer named in Section 13, of Chapter 465 of the Acts of the Second Called Session of the Forty-fourth Legislature, where such officer's salary was based upon population under the laws existing on August 24, 1935, on the basis of population of said county, according to the last preceding Federal Census; provided that the Commissioners Courts in said counties are authorized to fix the maximum annual salary for the balance of the fiscal year 1941 after the effective date of this Act on the basis of the Federal Census of 1940 and thereafter according to the last preceding Federal Census; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 928, "An Act amending Section 4, of Chapter 290, Acts of the Forty-first Legislature, as amended by Section 1, Chapter 130, Acts of the Forty-fifth Legislature, so as to provide for a separate board of trustees for all municipal colleges in the State of Texas, organized prior to the year 1923, and providing the method of electing said board of trustees and providing for the powers and duties of said board; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 923, "An Act amending Article 3259 of the Revised Civil Statutes of Texas of 1925, as amended by Acts, 1939, Chapter 1, page 429, House Bill No. 539, relating to Waco State Home, by changing the maximum number of children that may be boarded, at any time, to twenty (20) such children; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 914, "An Act to amend an Act of the Forty-fourth Legislature, creating a Special Road Law for Childress County, Texas, being Chapter 435 of the General and Special Laws passed by the Forty-fourth Legislature at its Second Called Session in 1935, by adding thereto four new sections authorizing Childress County to fund or refund indebtedness outstanding against its Road and Bridge Fund as of April 10, 1941, including bonds, interest-bearing time warrants and scrip warrants, by the issuance of funding or refunding bonds, either or both; setting forth the method of operation; validating acts of the Commissioners Court and of the County Officials in authorizing, executing, and delivering said outstanding bonds and warrants; providing that this Law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds not in conflict herewith; providing that in event any provision of this Act shall conflict with any other law of this State, either General or Special, the provisions of this Act shall prevail in so far as applicable to said County; enacting provisions incident to and relating to the subject and purpose of this Act; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 910, "An Act to amend Senate Bill No. 280, Chapter 166 of the Acts of the Regular Session of the Forty-fourth Legislature, so that the same shall read and provide as hereafter shown, that is as the same now reads, and by adding a section thereto fixing the authority and duties, in certain enumerated cases, of Assessors and Collectors of Taxes in counties having a population of more than five hundred thousand (500,000) inhabitants according to the last preceding or any future Federal Census, by authorizing the making of certain oaths and affidavits before such Assessors and Collectors of Taxes and their Deputies; providing for the issuance of certain receipts or certificates by such Assessors and Collectors of Taxes and their Deputies, fixing fees for all such acts; providing that such fees shall be fees of office and accounted for as such; providing that such fees shall be paid into the officers' salary fund; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 899, "An Act to provide for traveling expenses for members of the Commissioners Courts in certain counties; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 959, "An Act authorizing the Commissioners Court in Jackson County to allow each County Commissioner certain expenses in connection with the performance of the duties as Road Commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 958, "An Act conferring upon the Board of Directors of the Agricultural and Mechanical College of Texas the power of eminent domain to acquire land for the use of the College; exempting said Directors from depositing bond as provided in Section 2, of Article 3268, Revised Civil Statutes of Texas of 1925; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 954, "An Act amending House Bill No. 884 as amended by Sixth Legislature as amended by House Bill No. 1109 of the Forty-sixth Legislature so as to add thereto a new section to be known as Section 1a, following Section 1 thereof, to provide that it shall be lawful to take, capture, shoot, or kill Collared Peccary or Javelina in the counties of Webb, Starr, and Zapata at any time; prohibiting the sale of any Collared Peccary or Javelina, or any part of the same, in said counties; prescribing penalties; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

In Memory of
Hon. J. E. Swift

Mr. Klingeman offered the following resolution:

H. S. R. No. 258, In Memory of Honorable J. E. Swift.

Whereas, The House of Representatives has learned with regret of the death of Honorable J. E. Swift on Monday, May 6, 1941; and

Whereas, Mr. Swift was an honored and valuable citizen of the City of Floresville and Southwest Texas; and

Whereas, Mr. Swift has served his State and District in many valuable ways and was, for a period of thirty-three (33) years, County School Superintendent of Wilson County; and

Whereas, Mr. Swift contributed his lifetime toward making this a better place in which to live; and

Whereas, A life of such distinguished service deserves recognition by his fellow man; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, That a copy of this resolution be spread upon a memorial page of the House Journal of today, in memory of and as a tribute to a worthy citizen who has served his people, and who has crowned his service with both dignity and honor; and be it further

Resolved, in formal expression of our sorrow and sympathy, That under Seal of the House of Representatives, the Chief Clerk forward a copy of this resolution to the family of our deceased friend, and that House adjournment today be in silent respect to the memory of Honorable J. E. Swift.

The resolution was read second time and was unanimously adopted by a rising vote.

In Memory of
Hon. Frank C. Van Horn, Sr.

Mr. Hardeman offered the following resolution:

H. S. R. No. 260, In Memory of Honorable Frank C. Van Horn, Sr.

Whereas, Honorable Frank C. Van Horn, Sr., has been called to rest from his earthly labors on May 9, 1941, from his home on Mockingbird Hill in Christoval, Tom Green County, Texas, where he had lived for more than 30 years; and

Whereas, He was born April 24, 1858, at Corsicana, Texas, and attended school there and at Fayetteville and became a member of the Methodist Church in 1875, at a revival conducted by Dr. Horace Bishop in Corsicana; and

Whereas, His father, R. A. Van Horn, established the Central Texan at Anderson, Grimes County, Texas, in 1847, and removed to Corsicana in the 1850's to publish the Navarro Express until the War Between the States when he published the Corsicana Observer, of which the subject of this resolution became the publisher upon the death of his father, and later sold the Observer to Miller and Tarver; and

Whereas, In 1885 Frank Van Horn moved to Fayetteville where he served four years as assistant postmaster, and in August, 1889, he moved to Dallas and became associated with the Times-Herald, Western Newspaper Union and American Press Association in composing room work; and

Whereas, In company with associates he founded the Evening Star and later the original Dallas Dispatch, but economic conditions and depression took their toll; and

Whereas, Mr. Van Horn moved to West Texas in 1908 to establish the Mitchell County News at Westbrook, Texas, but after two years of sandstorms and drouths he made a connection with Arthur Stilwell, a famous railroad organizer and promoter, which sent him to Christoval to boost the small village and especially an addition to the townsite owned by the Orient Railroad; and

Whereas, Even though Stilwell's dream of a railroad empire extending from Kansas City, Missouri, to Topolobampo on the West Coast of Mexico vanished, Mr. Van Horn, being a man of broad vision, foresaw the possibilities of Christoval as a health and recreational resort based on the existence of curative mineral waters and the clear, sparkling waters of the South Concho River and the verdant hills and wooded areas near by, and on April 21, 1911, he published the first issue of the Christoval Observer which he continued until he became crippled and with eyes failing he published the last issue on July 24, 1936; and

Whereas, He was one of the oldest members of the Knights of Pythias in Texas, having joined in 1886, and was a newspaper editor and publisher of the "old school" who took his politics seriously and was, as he said, "An American and no other 'ism'" and "A Democrat—not a Hoovercrat"; and

Whereas, He was the sponsor of the Confederate Veterans' Reunions and was organizer and sponsor of the Tom Green County Old Settlers Reunions, of which he was an official many years and which were held annually at Christoval; and

Whereas, West Texas, and especially Christoval, has lost one of its most ardent supporters and outstanding citizens, and one who believed in taking the initiative and working hard to accomplish one's ambitions and by so doing left an example of citizenship commanding the respect and admiration of those who knew of his life and activities; and

Whereas, It is the desire of the Members of the House of Representatives to pay tribute to a life of such distinguished services and express its sympathy to his bereaved family; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, That the passing of Mr. Van Horn be acknowledged by ordering a copy of this resolution spread upon the Journal of the House, and that the Chief Clerk of the House be directed to forward a copy of this resolution, under the Seal of the House of Representatives, to Mrs. Van Horn, the devoted companion throughout the years, and that when the House of Representatives adjourns today that it do so in silent tribute to the Honorable Frank C. Van Horn, whose name and memory shall abide with us always.

The resolution was read second time and was unanimously adopted by a rising vote.

In Memory of
Hon. Homer C. DeWolfe

Mr. Stanford offered the following resolution:

H. S. R. No. 261, In Memory of Honorable Homer C. DeWolfe.

Whereas, On May 9, death cut short the useful life and brilliant career of public service of Homer C. DeWolfe; and

Whereas, Homer C. DeWolfe was born on the 24th day of March, 1901, in Burnet County, Texas, and received his education in the public schools of this State, at A. & M. College and at the University of Texas; and

Whereas, Homer C. DeWolfe began the service of his country by leaving college to enlist in the armed forces of the United States during the World War; and

Whereas, He later entered the University of Texas as a special student, and worked his way through the School of Law, graduating with highest honors in 1928; and following his graduation from the University, he was elected to the House of Representatives from Mills and Comanche Counties, and served with ability and distinction during the Forty-first and Forty-second Legislatures; and

Whereas, Upon the record of service he had made in the House of Representatives, he was selected as an Assistant Attorney General in 1931, and there recovered judgments which placed millions of dollars in the Permanent School Fund of this State; and

Whereas, Because of his interest in education and the public schools of Texas, he was appointed on January 1, 1939, as a member of the State Board of Education, and at his untimely death was engaged in unselfish service in that office; and

Whereas, Homer C. DeWolfe enthusiastically devoted his boundless energy to the performance of every duty imposed upon him and brought to each office of trust the highest and best in integrity, ability and devotion to service; and

Whereas, In private life Homer C. DeWolfe was a stalwart friend who, knowing the hard way upward, gave generously of his assistance to help to smooth the trail for others to whom fate assigned the same hard road; and

Whereas, Homer C. DeWolfe was a devoted husband and father, receiving in return the love and adoration of his splendid wife and two fine sons; now, therefore, be it

Resolved, by the House of Representatives, That it join his countless other friends in deep regret at the passing of Homer C. DeWolfe, a distinguished and able lawyer, a great statesman, our friend and neighbor, and that its sympathies be expressed to his bereaved family;

Resolved, That his memory shall be to this House an inspiration to service, and that when the House adjourns today, that it do so in memory of Homer C. DeWolfe;

Resolved, That this resolution be spread as a memorial in the pages of the Journal, and that a copy of this resolution be furnished

to the widow of the departed in token of our sympathies in her bereavement.

STANFORD,
LANSBERRY,
CARRINGTON,
NICHOLSON,
ALSUP,
KING,
KINARD,
FUCHS,
SMITH of Bastrop.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Klingeman, Knight, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Atascosa, Spacek, Spangler, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Carlton, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

SEVENTY-FIRST DAY

(Tuesday, May 13, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gandy
Allen	Garland
Allison	Gilmer
Alsup	Goodman
Avant	Halsey
Bailey	Hanna
Baker	Hargis
Bean	Harris of Dallas
Bell	Harris of Hill
Benton	Hartzog
Blankenship	Heflin
Boone	Helpinstill
Brawner	Henderson
Bray	Hileman
Bridgers	Hobbs
Brown	Howard
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Celaya	Jones
Chambers	Kelly
Clark	Kennedy
Cleveland	Kersey
Coker	Kinard
Colson, Mrs.	King
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crosthwait	Lehman
Daniel	Leyendecker
Davis	Little
Deen	Lock
Dickson of Bexar	Love
Dickson of Nolan	Lowry
Donald	Lucas
Dove	Lyle
Duckett	McAlister
Ellis	McCann
Eubank	McDonald
Evans	McGlasson
Favors	McLellan
Ferguson	McMurry
Files	McNamara
Fitzgerald	Manford
Fuchs	Manning

Markle	Sallas
Martin	Senterfitt
Matthews	Sharpe
Mills	Shell
Montgomery	Simpson
Moore	Skiles
Morgan	Smith of Bastrop
Morris	Smith of Atascosa
Morse	Spacek
Murray	Spangler
Pace	Stanford
Parker	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Turner
Rampy	Vale
Reed of Bowie	Wattner
Reed of Dallas	Weatherford
Ridgeway	White
Rhodes	Whitesides
Roark	Winfree
Roberts	

Absent—Excused

Anderson	Thornton
Dwyer	Voigt
Hardeman	Walters
Nicholson	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, may we not close our eyes to Thee or our hearts to Thy goodness and Thy faithfulness. Surrounded by Thy blessings, in them and by them we live and act in all that we do. Open our minds to Thy will, and may our grasp of duty and our appreciation of our own work be worthy of our high calling. The Lord broaden and deepen our understanding and give us vision. In Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Walters for today, on motion of Mr. Gandy.

Mr. Hardeman for today, on motion of Mr. Heflin.

Mr. Voigt for today, on motion of Mr. Skiles.

Mr. Dwyer and Mr. Anderson for today, on motion of Mr. Hoyo.